

Sec. 5. That the fact the educational facilities of the territory within the said George West Independent School District are insufficient, for want of adequate school buildings and insufficiency of funds to provide school buildings and adequately maintain the schools, creates an emergency and an imperative public necessity, necessitating the suspension of the constitutional rule requiring bills to be read on three several days in each House, and said rule is hereby suspended, and this Act shall take effect and go into force from and after its passage, and it is so enacted.

TWENTY-SECOND DAY.

Senate Chamber,
Austin, Texas.

Wednesday, June 16, 1920.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Clark.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Woods.

Absent.

Caldwell. Cousins.

Absent—Excused.

Bledsoe. Witt.
Hall.

Prayer by the Chaplain, Rev. S. H. Morgan.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Senators Excused.

Senators Hall and Bledsoe were excused for today and the remainder of the session.

Senator Witt was excused for today.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

House Bill No. 142.

The Chair laid before the Senate on final passage

H. B. No. 142, A bill to be entitled "An Act to provide a more efficient road law for Mills County, creating the office of county road superintendent for Mills County, etc., and declaring an emergency."

The bill was read third time and finally passed.

House Bill No. 164.

The Chair laid before the Senate on final passage

H. B. No. 164, A bill to be entitled "An Act to create a more efficient road system for Blanco County, Texas, and making the commissioners of said County ex-officio road commissioners in their respective precincts, and prescribing their duties as such, and authorizing the appointment of deputy road commissioners, and providing for the compensation of road commissioners and deputy road commissioners, and declaring an emergency."

The bill was read the third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe. Witt.
Hall.

House Bill No. 123.

The Chair laid before the Senate on final passage

H. B. No. 123, A bill to be entitled "An Act creating the Hartley Independent School District, situated in Hartley County, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe. Witt.
Hall.

House Bill No. 122.

The Chair laid before the Senate on final passage

H. B. No. 122, A bill to be entitled "An Act creating the Miles Independent School District in Runnels and Tom Green Counties, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe. Witt.
Hall.

House Bill No. 163.

The Chair laid before the Senate on final passage

H. B. No. 163, A bill to be entitled "An Act to validate the incorporation of Fredericksburg Independent School District of Gillespie County, Texas, and to declare valid all acts of the board of trustees of said district and of the commissioners court of Gillespie County, relative and pertaining to all matters connected with the original incorporation of said district and the subsequent adding to of territory creating said district, and declaring an emergency."

The bill was read the third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe. Witt.
Hall.

House Bill No. 115.

The Chair laid before the Senate on final passage

H. B. No. 115, A bill to be entitled "An Act to create the Miami Independent School District in Roberts County, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Caldwell.
Bailey.	Carlock.
Buchanan of Bell.	Clark.
Buchanan of Scurry.	Cousins.

Davidson.	McNealus.
Dayton.	Page.
Dean.	Parr.
Dorough.	Rector.
Dudley.	Smith.
Faust.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.
Hertzberg.	Williford.
Hopkins.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No 156.

The Chair laid before the Senate on final passage

H. B. No. 156, A bill to be entitled "An Act creating Bonnie View Independent School District in Refugio County, Texas, providing that said Independent School District and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the general statutes upon independent school districts in this State, and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 124.

The Chair laid before the Senate on final passage

H. B. No. 124, A bill to be entitled "An Act creating the Quail Independent School District in Collingsworth County, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed.

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 138.

The Chair laid before the Senate on final passage

H. B. No 138, A bill to be entitled "An Act creating and incorporating the Carlisle Independent School District in Lubbock County, Texas, out of territory now comprising Common School District No. 24 in Lubbock County, as created by the commissioners court of Lubbock County, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 85.

The Chair laid before the Senate on final passage

H. B. No. 85, A bill to be entitled "An Act creating and incorporating the Johnson Independent School District in Terry County, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 95.

The Chair laid before the Senate on final passage

H. B. No. 95, A bill to be entitled "An Act to amend Section 1 of Chapter 58 of the Local and Special Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, which act as an amendment of the act creating the Winnie Independent School District in the counties of Chambers and Jefferson, in the State of Texas, and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 111.

The Chair laid before the Senate on final passage

H. B. No. 111, A bill to be entitled "An Act extending the boundaries of and adding territory to the Union Independent School District in Terry County, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

Message from the House.

A messenger from the House appeared at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, June 16, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolutions:

H. C. R. No. 14, relating to an inquiry concerning the Medical Department of the University of Texas.

H. C. R. No. 15, relating to the cost of making cement and to cement production in Texas.

The House has passed the following bill:

H. B. No. 136, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by subsequent legislative acts, relating to the mode of preventing horses and certain animals from running at large in counties named.

The House concurs in Senate amendments to House Bill No. 55.

Respectfully submitted,
NOEL K. BROWN,
Chief Clerk, House of Representatives.

House Bill No. 121.

The Chair laid before the Senate on final passage

H. B. No. 121, A bill to be entitled "An Act creating the Rowena Independent School District in Runnels County, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 75.

The Chair laid before the Senate on final passage

H. B. No. 75, A bill to be entitled "An Act creating the Millersview Independent School District in Concho County, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Dorough.
Bailey.	Dudley.
Buchanan of Bell.	Faust.
Buchanan of Scurry.	Floyd.
Caldwell.	Gibson.
Carlock.	Hertzberg.
Clark.	Hopkins.
Cousins.	McNealus.
Davidson.	Page.
Dayton.	Parr.
Dean.	Rector.

Smith.
Strickland.
Suiter.

Westbrook.
Williford.
Woods.

Absent—Excused.

Bledsoe.
Hall.

Witt.

House Bill No 109.

The Chair laid before the Senate on final passage

H. B. No. 109, A bill to be entitled "An Act creating the Fairview Independent School District in Milam and Williamson Counties, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No 84.

The Chair laid before the Senate on final passage

H. B. No. 84, A bill to be entitled "An Act creating and incorporating the Fairview Independent School District in Crosby County, and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Dayton.
Bailey.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Dudley.
Caldwell.	Faust.
Carlock.	Floyd.
Clark.	Gibson.
Cousins.	Hertzberg.
Davidson.	Hopkins.

McNealus.	Strickland.
Page.	Suiter.
Parr.	Westbrook.
Rector.	Williford.
Smith.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No 67.

The Chair laid before the Senate on final passage

H. B. No. 67, A bill to be entitled "An Act creating the Dalhart Consolidated Independent School District in Dallam and Hartley Counties, Texas, consolidating and incorporating into said independent school district the territory included in the present Dalhart Independent School District, Telshowe Common School District No. 10 and Chamberlain Common School District No. 12, defining its boundaries, vesting it with the rights, powers, duties, privileges of district incorporated for school purposes only, under the general law; providing for a board of trustees thereof; making provisions for taxation for school purposes in said district, and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 150.

The Chair laid before the Senate on final passage

H. B. No. 150, A bill to be entitled "An Act to amend Sections 1 and 4,

Chapter 88, Special Laws passed at the Second Called Session of the Thirty-sixth Legislature, approved July 23, 1919, creating and defining the boundaries of the Graford Independent School District of Palo Pinto County, Texas, and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 166

The Chair laid before the Senate on final passage:

H. B. No. 166, A bill to be entitled "An Act extending the boundaries of and adding territory to the Tahoka Independent School District in Lynn County, Texas, as created by Acts of the Thirty-fifth Legislature, Regular Session, Chapter 143, Local and Special Laws; defining the boundaries thereof as hereby extended; continuing in office the present board of trustees for the remainder of their respective terms, and until their successors shall have been duly elected; providing that all taxes for maintenance and bonding purposes heretofore levied and now in force in said district be continued in force in said district as extended; providing that all taxes heretofore levied and now in force in said district may be levied and assessed against all the taxable property in the territory added to said district by this act; providing that all bonds, obligations and indebtedness of said district shall be and remain valid obligations of the district as hereby extended; providing that all the terms and provisions of the original act

creating the Tahoka Independent School District shall remain in full force and effect in said district and apply to the territory hereby added; repealing all laws and parts of laws in conflict herewith; providing that any court decision declaring invalid or unconstitutional any section or provision of this act shall not impair any remaining portion of this act; and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 120.

The Chair laid before the Senate on final passage

H. B. No. 120, A bill to be entitled "An Act creating the Channing Independent School District in Hartley County, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 87.

The Chair laid before the Senate on final passage

H. B. No. 87, A bill to be entitled "An Act creating and incorporating the McCarthy Independent School district in Dawson County, out of territory now composing Common School District No. 22 in said County, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 199.

The Chair laid before the Senate on final passage

H. B. No. 199, A bill to be entitled "An Act reestablishing and redefining the boundaries of the present West Dallas Independent School District in Dallas County, Texas, and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe. Witt.
Hall.

House Bill No. 86

The Chair laid before the Senate on final passage

H. B. No. 86, A bill to be entitled "An Act creating and incorporating Blythe County Line Independent School District out of territory in Gaines, Terry and Yoakum Counties, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe. Witt.
Hall.

House Bill No. 77.

The Chair laid before the Senate on final passage

H. B. No. 77, A bill to be entitled "An Act creating the Brady Valley Independent School District in Concho County, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe. Witt.
Hall.

House Bill No. 80.

The Chair laid before the Senate on final passage

H. B. No. 80, A bill to be entitled "An Act creating an independent school district to be known as Dumas Independent School District, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe. Witt.
Hall.

House Bill No. 70.

The Chair laid before the Senate on final passage

H. B. No. 70, A bill to be entitled "An Act creating an independent school district to be known as Spearman Independent School District, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Dudley.
Bailey.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Hertzberg.
Carlock.	Hopkins.
Clark.	McNealus.
Cousins.	Page.
Davidson.	Parr.
Dayton.	Rector.
Dean.	Smith.
Dorough.	Strickland.

Suiter.	Williford.
Westbrook.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 62.

The Chair laid before the Senate on final passage

H. B. No. 62, A bill to be entitled "An Act to create and establish the Dixon Independent School District in Hunt County, Texas, and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 132.

The Chair laid before the Senate on final passage

H. B. No. 132, A bill to be entitled "An Act creating the Mobeetie Independent School District in Wheeler County, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Buchanan of Bell.
Bailey.	Buchanan of Scurry.

Caldwell.	Hertzberg.
Carlock.	Hopkins.
Clark.	McNealus.
Cousins.	Page.
Davidson.	Parr.
Dayton.	Rector.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Westbrook.
Floyd.	Williford.
Gibson.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 76.

The Chair laid before the Senate, on final passage

H. B. No. 76, A bill to be entitled "An Act creating the Eden Independent School District in Concho County, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 81.

The Chair laid before the Senate on final passage

H. B. No. 81, A bill to be entitled "An Act creating the Kirbyville Independent School District in Jasper and Newton Counties, Texas, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Buchanan of Bell.
Bailey.	Buchanan of Scurry.

Caldwell.	Hertzberg.
Carlock.	Hopkins.
Clark.	McNealus.
Cousins.	Page.
Davidson.	Parr.
Dayton.	Rector.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Westbrook.
Floyd.	Williford.
Gibson.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 137.

The Chair laid before the Senate on final passage

H. B. No. 137, A bill to be entitled "An Act creating and incorporating the Shallow Water Independent School District in Lubbock County, Texas, out of territory now comprising Common School District No. 17 in Lubbock County, defining its boundaries; providing for a board, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 139.

The Chair laid before the Senate on final passage

H. B. No. 139, A bill to be entitled "An Act to amend Section 11. Chapter 38, of the Second Called Session of the Thirty-sixth Legislature, creating the Academy Consolidated Independent School District out of the

following common school districts in Bell County, Texas: Academy Common School District No. 40, Burgess Common School District No. 114 and Knob Creek Common School District No. 31, with, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 113.

The Chair laid before the Senate on final passage

H. B. No. 113, A bill to be entitled "An Act creating and incorporating Canyon Independent School District in Lubbock County, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 46.

The Chair laid before the Senate on final passage

H. B. No. 46, A bill to be entitled "An Act to establish Common County Line School District No. 2, in Hopkins and Franklin counties, Texas, etc."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 112.

The Chair laid before the Senate on final passage

H. B. No. 112, A bill to be entitled "An Act creating and incorporating Idalou Independent School District in Lubbock County, etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 47.

The Chair laid before the Senate on final passage

H. B. No. 47, A bill to be entitled "An Act reviving the taxing power of the Pandora Independent School District."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 165.

The Chair laid before the Senate on final passage

H. B. No. 165, A bill to be entitled "An Act to amend Sections 3 and 12, of Chapter 32, of the Local and Special Laws of the Regular Session of the Thirty-fifth Legislature, as Section 3 thereof was amended by Chapter 6 of the Local and Special laws of the Regular Session of the Thirty-sixth Legislature, so as to give the commissioners court authority to regulate the pay of road hands and teams; and to provide how road hands and teams summoned to work out their road duty may release themselves from said duty."

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Dayton.
Bailey.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Dudley.
Caldwell.	Faust.
Carlock.	Floyd.
Clark.	Gibson.
Cousins.	Hertzberg.
Davidson.	Hopkins.

McNealus.	Strickland.
Page.	Suiter.
Parr.	Westbrook.
Rector.	Williford.
Smith.	Woods.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill Read and Referred.

The Chair had read and referred the following House Bill:

H. B. No. 136, to Committee on Stock and Stock Raising.

House Concurrent Resolution No. 14.

The Chair laid before the Senate H. C. R. No. 14, in regard to an investigation of the Medical Department of the University of Texas.

The resolution was read and adopted.

House Concurrent Resolution No. 15.

The Chair laid before the Senate H. C. R. No. 15, in regard to the cost of making cement in Texas.

The resolution was read and adopted.

House Bill No. 31.

Senator Dorrough moved to reconsider the vote by which the minority report to House Bill No. 31 was adopted.

The motion prevailed by the following vote:

Yeas—17.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	McNealus.
Clark.	Parr.
Dayton.	Rector.
Dorrough.	Strickland.
Dudley.	

Nays—3.

Suiter.	Williford.
Westbrook.	

Present—Not Voting.

Buchanan of Bell.	Woods.
Dean.	

29—Senate.

Absent.

Cousins.	Page.
Davidson.	Smith.
Gibson.	

Absent—Excused.

Eledsoe.	Witt.
Hall.	

H. B. No. 31, A bill to be entitled "An Act to amend Article 3875 of the Revised Civil Statutes of the State of Texas of 1911, so as to increase the compensation of county treasurers of certain counties."

On the Motion of Senator Dorrough, the motion of Senator Page to adopt the minority report was tabled.

The majority report, carrying amendments, was adopted.

Senator Buchanan of Scurry sent up the following amendment:

Amend House Bill No. 31, by inserting between the word "roll" and the word "the" next to the last line of Section 1 of the bill the following:

"And providing that in all counties in which such assessed valuation of property shall be forty million dollars or more and which counties by the Federal census of 1910 had a population of less than 30,000 and which counties constitute two separate Judicial districts."

The amendment was read.

Senator Dorrough moved to table the amendment.

The motion prevailed.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, June 16, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 50, A bill to be entitled "An Act to amend Article 2758, Chapter 12, Title 48, of the Revised Civil Statutes of the State of Texas, 1911, as amended by Senate Bill No. 26, Chapter 41, of the General Laws of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, etc., and declaring an emergency."

H. B. No. 69, A bill to be entitled

"An Act to amend Chapter 111 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-sixth Legislature, 1919, entitled 'An Act to amend Chapter 79, of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas, 1918,' relating to official shorthand reporters' compensation in certain counties and districts in this State; repealing all laws and parts of laws in conflict with said chapter and said section herein amended, and declaring an emergency."

H. B. No. 117, A bill to be entitled "An Act creating the Jean Independent School District, situated in Young County, etc., and declaring an emergency."

H. B. No. 114, A bill to be entitled "An Act amending Article 613 of the Revised Civil Statutes of the State of Texas of 1911, providing that the issuance of certain county bonds shall be based upon and limited by the taxable values of the county, and declaring an emergency."

H. B. No. 178, A bill to be entitled "An Act to amend Sections 2 and 14 of the Special Road Law of Coleman County, Texas, approved April 15, 1905, being House Bill No. 542, as amended by an act, being House Bill No. 688 of the Special Laws of Texas, approved on the 17th day of April, 1907, and as amended by an act, being House Bill No. 52 of the Special Laws of Texas, approved June 4, 1915, which House Bill No. 542 is entitled 'An Act to create a more efficient road system for Coleman County, Texas; as amended by an act, being House Bill No. 16, approved October 2, 1917; and making the county commissioners of said county ex-officio road commissioners and prescribing their duties as such, and providing for the appointment of road overseers, and defining their duties; and for the working of county convicts upon the public roads of said county, and providing for the officers' fees and rewards for escaped convicts, and authorizing the working of county convicts partly upon county convict farms as well as upon the public roads and partly upon both, in the discretion of the commissioners court, and making provisions applicable as far as practicable to convicts when worked upon the county farms; and to provide for the

summoning of teams for road work and for the allowance of time for road service for same, and fixing a penalty for violation of this act; also authority to employ men and teams to work on public roads and fixing their compensation therefor; and to repeal all laws in conflict with this act as to Coleman County; providing for the condemnation of land needed for widening, straightening, changing or draining roads; providing for the taking of timber, gravel, earth, stone or other necessary material for the improvement of roads; and giving persons summoned to work upon the roads the right to be relieved from the discharge of such duty on the payment of specific sums of money herein stipulated; providing for the collection of such sums of money by road overseers and prescribing penalties for failure to comply with the provisions of this act, and declaring an emergency."

H. B. No. 186, A bill to be entitled "An Act amending the Act of the Regular Session of the Thirty-sixth Legislature creating the Ray Common School District No. 27, in Goliad County, Texas, changing the territory comprising the said district, defining the territory by metes and bounds, providing a board of trustees therefor, providing that said common school district and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the General Laws of this State, and declaring an emergency."

H. B. No. 179, A bill to be entitled "An Act to amend Chapter 66 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, Approved March 20, 1913, entitled 'An Act incorporating and creating the Sonora Independent School District, enlarged, of Sutton County, Texas, for free school purposes only; defining its boundaries, and providing for the election of a board of trustees, for the raising of revenues by taxation, for the issuance of bonds for building purposes, and for the maintenance of public free schools in such district, and vesting said district and the board of trustees thereof with all the rights, powers, privileges and duties conferred and imposed by General Laws upon independent school districts and the board of trustees thereof, formed by

the incorporation of a town or village for free school purposes only under the General Law, and declaring an emergency; providing for the extension of the limits of such district; determining the boundaries thereof; providing that all obligations heretofore incurred by the said district shall remain in full force, and declaring an emergency."

H. B. No. 188, A bill to be entitled "An Act creating and incorporating the New Lynn Independent School District in Lynn County, Texas, out of territory now comprising the New Lynn Common School District No. 1 in Lynn County; defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes, and a board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of New Lynn Common School District No. 1 and the assumption of all such obligations and indebtedness by New Lynn Independent School District; validating and continuing in force all taxes heretofore voted and now in force in said district; providing that title to all property in said territory be divested out of New Lynn Common School District No. 1 and vested in New Lynn Independent School District as created by this Act; providing for the election and terms of trustees of said district and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the General Laws of Texas in all matters where this Act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any portion of this Act shall not invalidate any remaining portion, and declaring an emergency."

S. B. No. 32, A bill to be entitled "An Act increasing the salary of the official court reporter for the Eighteenth Judicial District of Texas to the sum of \$1800.00; providing the manner of payment of such salary, and declaring an emergency."

Respectfully submitted.

NOEL K. BROWN.

Chief Clerk House of Representatives.

House Bill No. 31.

The question was on the passage of the bill to third reading.

The bill was passed to third reading by the following vote:

Yeas—18.

Alderdice.	Dudley.
Bailey.	Faust.
Euchanan of Scurry.	Floyd.
Caldwell.	Hertzberg.
Carlock.	Hopkins.
Clark.	McNealus.
Davidson.	Parr.
Dayton.	Rector.
Dorough.	Strickland.

Nays—3.

Dean.	Woods.
Williford.	

Present—Not Voting.

Buchanan of Bell.	Page.
Gibson.	

Absent.

Smith.	Westbrook.
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Absent—Excused.

Bledsoe.	Witt.
Hall.	

Pair Recorded.

Senator Suiter (present) who would vote "nay"; Senator Cousins (absent) who would vote "yea."

On the motion of Senator Dorrough, the constitutional rule was suspended by the following vote:

Yeas—26.

Alderdice.	Floyd.
Bailey.	Gibson.
Euchanan of Bell.	Hertzberg.
Euchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Davidson.	Rector.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent.

Cousins.	Smith.
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Absent—Excused.

Bledsoe.	Witt.
Hall.	

The bill was read third time and finally passed.

House Bills Read and Referred.

The Chair had read and referred the following House bills:

House Bill No. 50, referred to Committee on Educational Affairs.

House Bill No. 69, referred to Committee on Judicial Districts.

House Bill No. 117, referred to Committee on Educational Affairs.

House Bill No. 114, referred to Committee on Civil Jurisprudence.

House Bill No. 178 referred to Committee on Roads and Bridges.

House Bill No. 186 referred to Committee on Educational Affairs.

House Bill No. 179 referred to Committee on Educational Affairs.

House Bill No. 188 referred to Committee on Educational Affairs.

House Bill No. 149.

The Chair laid before the Senate on the calendar

H. B. No. 149, A bill to be entitled "An Act to aid the city of Freeport, Texas, in raising, strengthening and enlarging existing levees now partially protecting the said city from tropical storms and calamitous overflows, and in constructing and maintaining additional levees, breakwaters, bulkheads and other works incidental thereto, both with and without the corporate limits of said city of Freeport, by donating and granting to said city of Freeport for a period of twenty years commencing with the fiscal year beginning September 1, 1920, the State ad valorem taxes collected upon property and from persons, firms or corporations within the defined limits of Brazoria County Road District No. 23 of Brazoria County, Texas, the boundaries of which include the city of Freeport, three-fourths of all moneys collected from State occupation taxes received from persons, firms, companies or associations of persons doing business within the limits of the said road district and all State poll taxes collected from persons within the limits of said road district, except that belonging to the public school fund; authorizing the city of Freeport to issue bonds for the purposes mentioned; providing a penalty for the misappropriation of funds

raised therefor; granting the right of eminent domain to said city and authorizing the city commission thereof to acquire for and on behalf of the city, by purchase, gift, grant or condemnation, title to any right of way and other property, and declaring an emergency."

The bill was read second time.

The committee report carrying amendment was adopted.

Senator Bailey sent up the following amendment:

Amend House Bill No. 149 by striking out in Section 1 of the bill and at the close thereof the words "the net amounts of money collected from the following State taxes" and the figure (1), and strike out the word "the" following, and insert in lieu thereof the word "all."

The amendment was read and adopted.

Senator Bailey sent up the following amendment:

Amend the caption by striking out all the caption after the word "Freeport" line 11, down to and including the words "purposes mentioned" line 16, which relate to occupation and poll taxes so as to make the caption conform to the committee amendments which have been adopted.

The amendment was read and adopted.

Senator Dean sent up the following amendment:

Amend House Bill No. 149, by adding at the end of Section 8 of said bill, and as a part of said Section 8, the following:

"Provided that the entire sinking fund, when received by the city treasurer of said city, shall be invested by the municipal authorities of said city, as received, in the bonds herein referred to, or bonds of the United States, the State of Texas, or bonds of any county, or subdivision thereof, city or town, of the State of Texas, bearing interest at a rate of not less than four per cent per annum, and all interest earned on said sinking fund shall become a part of said sinking fund; provided further that when the sinking fund created under the provisions of this Act shall become sufficient to retire all bonds issued hereunder, this Act shall cease to be operative and the donation herein made shall cease. The violation of the provisions of this section shall constitute a misapplication of public moneys, and the person or persons so offending shall be punished as pro-

vided for in Article 96 of the Penal Code of Texas.

The amendment was read and adopted.

Senator Dean sent up the following amendment:

Amend the caption of House Bill No. 149 by adding after the words "to authorize said city to issue bonds for the purposes mentioned", the following: "To provide for the investment of the amounts herein donated, and of the sinking funds of said bonds".

The amendment was read and adopted.

The bill was passed to third reading.

On the motion of Senator Bailey, the constitutional rule was suspended by the following vote:

Yeas—25.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Woods.
Faust.	

Absent.

Davidson.	Strickland.
Smith.	

Absent—Excused.

Bledsoe.	Witt.
Hall.	

The bill was read third time and finally passed.

Senate Concurrent Resolution No. 10.

Unanimous consent was granted to send up the following concurrent resolution:

Be it resolved by the Senate, the House concurring, that:

Whereas, Official reports made to this House show that such State funds are expended by some State officials and assistants for traveling expenses, and

Whereas, There is much complaint of some officials and assistants being absent from the office going around

the State, and even at times out of the State; therefore, be it

Resolved, That it shall be the duty of the Board of Control to have each and every department of State Government to make quarterly reports, beginning September 1, 1919, to said Board of Control, stating what amounts, if any, have been expended by said departments, respectively, for traveling expenses, and the number of days that heads and assistants of same departments have been absent from their official headquarters, or office, and that said Board of Control make reports on premises to each session of the Legislature hereafter.

The resolution was read.

Senator Caldwell moved to refer the resolution to the Committee on Civil Jurisprudence.

On the motion of Senator Clark, the motion was tabled.

The resolution was adopted.

Senate Bill No. 69—Recommitted.

On the request of Senator Caldwell, House Bill No. 69 was taken from Committee on Judicial Districts and referred to the Committee on Civil Jurisprudence.

Simple Resolution No. 22.

Unanimous consent was granted to send up the following resolution:

Resolved, That there is hereby appropriated out of the contingent expense fund of the Senate the sum of two hundred and fifty dollars, or as such thereof as may be necessary for compiling, indexing and proof-reading the laws passed by the Third Called Session of the Thirty-sixth Legislature; said work shall be under the direction of the Secretary of State, and when same is completed voucher shall be issued by the Chairman of the Contingent Expense Committee of the Senate, upon account duly approved by the Secretary of State for the amount herein appropriated, and said account shall be paid by the Comptroller as all other accounts are paid.

The resolution was read and adopted.

Bill Introduced.

Senator Davidson received unani-

mous consent to send up the following bill:

By Senator Davidson:

S. B. 109, A bill to be entitled "An Act providing for the assessment and collection of taxes for all purposes except state purposes on lands acquired and owned by the State for the purpose of establishing State farms and employing thereon convict labor on State account and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read first time and referred to Committee on Penitentiaries.

House Bill No. 4.

The Chair laid before the Senate on the calendar

H. B. No. 4, A bill to be entitled "An Act to amend Chapter 14, Section 2781, Revised Civil Statutes of 1911, relating to the salaries of teachers so as to remove the limitations as to the amount to be paid teachers, and declaring an emergency," with engrossed rider.

The bill was read second time.

The Committee report that the bill be printed in the Journal was adopted.

The bill was passed to third reading.

On the motion of Senator Suiter, the constitutional rule was suspended by the following vote:

Yeas—27.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.
Floyd.	

Absent.

Cousins.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

The bill was read third time and finally passed by the following vote:

Yeas—26.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent.

Cousins.	Strickland.
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Absent—Excused.

Bledsoe.	Witt.
Hall.	

House Bill No. 101.

The Chair laid before the Senate on the calendar

H. B. No. 101, A bill to be entitled "An Act authorizing and empowering certain municipalities of this State to fix and prescribe the annual salary or compensation of their city or corporation judge at not exceeding a maximum prescribed sum, fixing the maximum amount thereof, and declaring an emergency."

The bill was read second time.

Senator Hertzberg sent up the following amendment:

Amend House Bill No. 101 by adding after the word "provided", line 2, Section 1, page 1, the following: "provided that this Act shall not apply to cities having a population of over 160,000 according to the 1920 census."

The amendment was read and adopted.

The bill was passed to its third reading.

On the motion of Senator McNealus, the constitutional rule was suspended by the following vote:

Yeas—25.

Alderdice.	Dayton.
Bailey.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Dudley.
Caldwell.	Faust.
Carlock.	Floyd.
Clark.	Gibson.
Davidson.	Hertzberg.

Hopkins.	Suiter.
McNealus.	Westbrook.
Page.	Williford.
Parr.	Woods.

Absent.

Cousins.	Strickland.
Smith.	

Absent—Excused.

Bledsoe.	Witt.
Hall.	

The bill was read third time and finally passed by the following vote:

Yeas—26.

Alderdice.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent.

Bailey.	Strickland.
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Absent—Excused.

Bledsoe.	Witt.
Hall.	

Message from the House.

A messenger from the House appeared at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, June 16, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 181, A bill to be entitled "An Act creating the Somerset Independent School District in Bexar County, etc., and declaring an emergency."

H. B. No. 185, A bill to be entitled "An Act creating the Emory Independent School District in Rains County, Texas, etc., and declaring an emergency."

H. B. No. 191, A bill to be entitled "An Act to validate the charter and incorporation of the city of Anson

adopted by the qualified voters of said city since the enactment of Chapter 147, page 307, of the Acts of the Regular Session of the Thirty-sixth Legislature, and filed in the office of the Secretary of State, and declaring an emergency."

H. B. No. 192, A bill to be entitled "An Act fixing the compensation for the official shorthand reporters in the Third, Thirty-ninth and Fiftieth Judicial Districts of Texas, and declaring an emergency."

Respectfully submitted,

NOEL K. BROWN,

Chief Clerk, House of Representatives.

House Bills Read and Referred.

The Chair had read and referred the following House Bills:

H. B. No. 181, Educational Committee.

H. B. No. 185, Town and City Corporations.

H. B. No. 191, Civil Jurisprudence.

H. B. No. 192, Civil Jurisprudence.

Recess.

On the motion of Senator Clark, the Senate stood recessed until 2:30 o'clock this afternoon.

Afternoon Session.

The Senate was called to order by Lieutenant Governor Johnson pursuant to recess.

House Bill No. 90.

The Chair laid before the Senate on the calendar

H. B. No. 90, A bill to be entitled "An Act to amend Article 3883 of Chapter 130 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature at its Regular Session, regulating the fees allowed county officers in certain counties in this State."

The bill was read.

Senator Page moved the adoption of the majority report that it do not pass.

Senator Smith moved the adoption of the minority report.

The yeas and nays were demanded on the minority report, and the report was adopted by the following vote:

Yeas—16.

Alderdice.	Faust.
Buchanan of Scurry.	Gibson.
Caldwell.	Hertzberg.
Carlock.	McNealus.
Cousins.	Parr.
Dayton.	Rector.
Dorough.	Smith.
Dudley.	Strickland.

Nays—5.

Clark.	Williford.
Hopkins.	Woods.
Page.	

Present—Not Voting.

Buchanan of Bell.	Suiter.
Dean.	

Absent.

Bailey.	Floyd.
Davidson.	Westbrook.

Absent—Excused.

Bledsoe.	Witt
Hall.	

Senator Hopkins made the point of order that a Senate bill on the same subject had been killed by an unfavorable committee report.

The Chair overruled the point of order, holding that the constitution referred to bills being defeated on the floor of the Senate and not in the committee.

Message From the Governor.

Mr. Raymond Brooks, a messenger from the Governor, presented himself at the bar of the Senate with the following executive message:

Governor's Office.

Austin, Texas, June 16, 1920.

To the Thirty-sixth Legislature in Third Called Session:

At the request of Senators Page and Gibson, I beg to submit for your consideration the following subject to-wit:

"An Act to confer upon trust companies with a capital of not less than \$500,000, the power to purchase, sell, discount and negotiate with or without its endorsement or guaranty, notes, drafts, checks, bills of exchange, acceptances, including banker's acceptances, cable transfers and other evidences of indebtedness, to purchase and sell, with or without its endorsement or guaranty, stocks, bonds, securities, including the obligations of the United

States or of any State thereof; to issue debentures, bonds and promissory notes, to accept bills or drafts drawn upon it, but in no event having liabilities outstanding thereon at any one time exceeding five times its capital stock and surplus; provided, however, that with the consent in writing of the Commissioner of Insurance and Banking, they may have outstanding at any one time ten times its capital stock and surplus."

Respectfully submitted,
W. P. HOBBY,
Governor.

Privileged Motion.

Senator Caldwell sent up the following motion:

I move that the Senate request the return of House Bill No. 31 for further consideration and correction.

The motion was read and adopted.

House Bill No. 90.

The previous question was ordered. The yeas and nays were demanded and the bill was passed to third reading by the following vote:

Yeas—17.

Buchanan of Scurry.	Gibson.
Caldwell.	Hertzberg.
Carlock.	McNealus.
Cousins.	Parr.
Dayton.	Rector.
Dorough.	Smith.
Dudley.	Strickland.
Faust.	Suiter.
Floyd.	

Nays 5.

Clark.	Williford.
Hopkins.	Woods.
Page.	

Present—Not Voting.

Buchanan of Bell.	Dean.
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Absent.

Alderdice.	Davidson.
Bailey.	Westbrook.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

On the motion of Senator Smith, the Constitutional rule was suspended by the following vote:

Yeas—25.

Alderdice.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Williford.
Faust.	Woods.
Floyd.	

Absent.

Bailey.	Westbrook.
Davidson.	

Absent—Excused.

Bledsoe.	Witt.
Hall.	

The bill was read third time and finally passed.

Bill Introduced.

Unanimous consent was granted to send up a bill.

By Senator Gibson:

S. B. No. 110, A bill to be entitled "An Act to confer upon trust companies with a capital of not less than \$500,000, the power to purchase, sell, discount and negotiate with or without its endorsement or guaranty, notes, drafts, checks, bills of exchange, acceptance, including bankers' acceptances, cable transfers and other evidences of indebtedness, to purchase and sell, with or without its endorsement or guaranty, stocks, bonds, securities, including the obligations of the United States or of any State thereof; to issue debentures, bonds and promissory notes, to accept bills or drafts drawn upon it, but in no event having liabilities outstanding thereon at any one time exceeding five times its capital stock and surplus; provided, however, that with the consent in writing of the Commissioner of Insurance and Banking, they may have outstanding at any one time ten times its capital stock and surplus, and declaring an emergency."

The bill was read first time and referred to the Committee on Banking and Insurance.

House Bill No. 69.

On the request of Senator Dean,

unanimous consent was granted to take up and consider

H. B. No. 69, A bill to be entitled "An Act to amend Chapter 111 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-sixth Legislature, 1910, entitled 'An Act to amend Chapter 79, of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas, 1918,' relating to official shorthand reporters' compensation in certain counties and districts in this State; repealing all laws and parts of laws in conflict with said chapter and said section herein amended, and declaring an emergency."

The constitutional rule was suspended and the bill put on its second reading by the following vote:

Yeas—26.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Absent.

Cousins.	Strickland.
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Absent—Excused.

Bledsoe.	Witt.
Hall.	

The Senate rule requiring committee reports to lie over one day was suspended by unanimous vote.

The bill was read second time.

The committee report carrying amendment was adopted.

Senator Caldwell sent up the following amendment:

Amend H. B. No. 69 by striking out \$1800.00 wherever it appears in the bill and caption and insert in lieu thereof the words and figures \$2400.00.

The amendment was read, and on the motion of Senator Dean was tabled by the following vote:

Yeas—19.

Alderdice.	Clark.
Buchanan of Bell.	Davidson.
Buchanan of Scurry.	Dayton.

Dean.	Rector.
Dorough.	Smith.
Floyd.	Suiter.
Gibson.	Westbrook.
Hertzberg.	Williford.
Hopkins.	Woods.
McNealus.	

Nays—8.

Bailey.	Faust.
Caldwell.	Page.
Carlock.	Parr.
Dudley.	Strickland.

Absent.

Cousins.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

The bill was passed to third reading.

On the motion of Senator Dean the constitutional rule was suspended by the following vote:

Yeas—27.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.
Floyd.	

Absent.

Cousins.

Absent—Excused.

Bledsoe.	Witt.
Hall.	

The bill was read third time and finally passed.

Senate Bill No. 92.

On the motion of Senator Carlock, the Senate concurred in the House amendment to Senate Bill No. 92.

Bills Signed.

After their captions were read the Chair signed in the presence of the Senate the following bills:

S. B. No. 92; S. B. No. 32; S. B. No. 40, S. B. No. 43, S. B. No. 22, S. B. No. 55; S. B. No. 41; S. B. No. 18.

House Bill No. 8.

The Chair laid before the Senate on the calendar

H. B. No. 8, A bill to be entitled "An Act making appropriations to pay the additional salaries of officers and employes of certain educational institutions and for improvements and additions to such institutions and other expenses of maintaining and conducting them as follows, to-wit: University of Texas, including the Medical Department at Galveston and the Department of Mines and Metallurgy at El Paso; Agricultural and Mechanical College; Prairie View State Normal and Industrial College; College of Industrial Arts for Women; Sam Houston Normal Institute; the North Texas State Normal College; Southwest Texas State Normal College; West Texas State Normal College; Sul Ross State Normal College; John Tarleton Agricultural College; and Grubb's Vocational College; and Texas School for the Blind; and declaring an emergency."

The bill was read second time.

The committee report carrying amendments was adopted.

Senator Clark sent up the following amendment:

Amend H. B. No. 8 by striking out 15900 on page 409 of the Journal.

The amendment was read.

Senator Caldwell moved to table the amendment. The motion prevailed by the following vote:

Yeas—22.

Alderdice.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Hertzberg.
Carlock.	Hopkins.
Cousins.	Page.
Davidson.	Rector.
Dayton.	Strickland.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Woods.

Nays—5.

Bailey.	Parr.
Clark.	Suiter.
McNealus.	

Present—Not Voting.

Smith.

Absent—Excused.

Bledsoe. Witt.
Hall.

Message From the House.

A messenger from the House appeared at the bar of the Senate with the following message.

Hall of the House of Representatives,
Austin, Texas, June 16, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 21, A bill to be entitled "An Act to amend Article 1173, Chapter 4, Title 15, and Article 1142, Chapter 3, Title 15, of the Code of Criminal Procedure of the State of Texas, relating to the fees allowed by sheriffs or other peace officers performing the same service in misdemeanor cases to be taxable against the defendant on conviction and the allowance to sheriffs by commissioners court of the several counties in this State for the safe keeping, support and maintenance of prisoners in or under guard, and declaring an emergency," with amendment.

Respectfully submitted,
NOEL K. BROWN,
Chief Clerk House of Representatives.

House Bill No. 8.

Senator Clark sent up the following amendment:

Amend H. B. No. 8 by striking out "11,800", on page 409 of Journal.

The amendment was read.

Senator Dean moved to table the amendment.

The motion prevailed by the following vote:

Yeas—22.

Alderdice.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Page.
Davidson.	Parr.
Dayton.	Rector.
Dean.	Smith.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.

Nays—6.

Bailey.	McNealus.
Clark.	Strickland.
Cousins.	Suiter.

Absent—Excused.

Bledsoe. Witt.
Hall.

Senator Hopkins sent up the following amendment:

Amend H. B. No. 8, by adding as part of the paragraph relating to the College of Industrial Arts, the following:

"To construct and equip one fire proof dormitory to be available September 1st, 1920, \$175,000."

The amendment was read.

Conference Committee on Senate Bill No. 21.

Senator Dudley sent up the following privileged motion:

I move that the Senate do not concur in House Amendments to S. B. 21, and ask for a free conference and that the following be elected on the part of the Senate:

Cousins, Page, Caldwell, Bailey, Buchanan of Scurry.

Senator Dorough sent up the following substitute:

"That the Senate concur in the House amendment."

The amendment was read.

On the motion of Senator Cousins the substitute was tabled by the following vote:

Yeas—21.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Caldwell.	McNealus.
Clark.	Page.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	

Nays—7.

Buchanan of Scurry.	Strickland.
Carlock.	Suiter.
Dean.	Woods.
Dorough.	

Absent—Excused.

Bledsoe. Witt.
Hall.

Senator Dorrough sent up the following amendment to the motion:

"Substitute the following on the part of the Senate:

"Dean, Suiter, Page, Buchanan of Bell, Cousins."

The amendment to the motion was tabled by the following vote:

Yeas—19.

Bailey.	Hertzberg.
Caldwell.	Hopkins.
Clark.	McNealus.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	

Nays—4.

Buchanan of Scurry.	Dorough.
Carlock.	Woods.

Present—Not Voting.

Alderdice.	Page.
Buchanan of Bell.	Suiter.
Gibson.	

Absent—Excused.

Bledsoe.	Witt.
Hall.	

On the motion of Senator Dudley the privileged motion was adopted.

Conference Report on House Bill No. 9.

Senator Floyd sent up the following report:

(Conference Report)

Committee Room.

Austin, Texas, June 16, 1920.

Hon. W. A. Johnson, President of the Senate.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, to whom was referred

H. B. No. 9, A bill to be entitled "An Act to appropriate Four Million Dollars (\$4,000,000.00) out of the General Funds of the State to aid all the public schools for the scholastic year, beginning September 1st, 1920, and ending August 31st, 1921,"

Beg leave to report that the Senate recedes from its amendment, and we

recommend the passage of the bill as finally engrossed by the House.

FLOYD,
SUITER,
ALDERDICE,
BUCHANAN of Scurry,
DOROUGH.

On the part of the Senate.

THOMAS.
KING of Throckmorton
BARRETT of Bell,
STEPHENS,
BASS.

On the part of the House.

The report was read and adopted.

Use of Reception Room Permitted.

On the motion of Senator McNealus, unanimous consent was granted the Prison Commission to use the Senate Reception Room tonight.

House Bill No. 8.

The question was on the amendment of Senator Hopkins.

The yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—16.

Bailey.	Floyd.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Page.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Faust.	Williford.

Nays—10.

Alderdice.	Gibson.
Buchanan of Bell.	McNealus.
Clark.	Strickland.
Dean.	Suiter.
Dudley.	Woods.

Absent.

Westbrook.

Absent—Excused.

Bledsoe.	Witt.
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(Pair Recorded)

Senator Dorrough (present), who would vote "nay"; Senator Hall (absent), who would vote "yea".

Senator Hopkins sent up the following amendment:

Amend H. B. No. 8, by adding after the paragraph relating to the North Texas Normal College the following:

"To construct and equip one fire proof dining hall, \$75,000."

The amendment was read and on the motion of Senator Page was tabled.

Senator Clark sent up the following amendment:

Amend House Bill No. 8, by striking out the enacting clause.

The amendment was read.

The previous question was ordered on the amendment and the bill.

The amendment was defeated.

The bill was passed to third reading.

On the motion of Senator Caldwell, the constitutional rule was suspended by the following vote:

Yeas—22.

Alderdice.	Dudley.
Bailey.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Page.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Westbrook.
Dorough.	Williford.

Nays—5.

Clark.	Strickland.
Gibson.	Suiter.
McNealus.	
	Absent.
Woods.	

Absent—Excused.

Bledsoe.	Witt.
Hall.	

The bill was read third time and finally passed by the following vote:

Yeas—21.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Page.
Carlock.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	

Nays—5.

Clark.	Strickland.
Gibson.	Suiter.
McNealus.	

Absent.

Cousins.	Woods.
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Absent—Excused.

Bledsoe.	Witt.
Hall.	

Senate Bill No. 110.

On the request of Senator Gibson unanimous consent was granted to take up and consider

S. B. No. 110, A bill to be entitled "An Act to confer upon trust companies with a capital of not less than \$500,000, the power to purchase, sell, discount and negotiate with or without its endorsement or guaranty, notes, drafts, checks, bills of exchange, including bankers' acceptances, cable transfers and other evidences of indebtedness, to purchase and sell, with or without its endorsement or guaranty, stocks, bonds, securities, including the obligations of the United States or of any State thereof; to issue debentures, bonds and promissory notes, to accept bills or drafts drawn upon it, but in no event having liabilities outstanding thereon at any one time exceeding five times its capital stock and surplus; provided, however, that with the consent, in writing, of the Commissioner of Insurance and Banking, they may have outstanding at any one time ten times its capital stock and surplus, and declaring an emergency."

The constitutional rule was suspended by the following vote and S. B. No. 110 was put on its second reading:

Yeas—27.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.
Floyd.	

Absent.

Cousins.

Absent—Excused.Bledsoe.
Hall.

Witt.

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent.

The bill was read second time.

The committee report that the bill be not printed was adopted.

The bill was ordered engrossed.

On the motion of Senator Gibson, the constitutional rule was suspended by the following vote:

Yeas—27.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Strickland.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Woods.
Faust.	

Absent.

Suiter.

Absent—Excused.Bledsoe.
Hall.

Witt.

The bill was read third time and finally passed by the following vote:

Yeas—26.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Westbrook.
Dudley.	Williford.

Absent.

Suiter.

Woods.

Absent—Excused.Bledsoe.
Hall.

Witt.

Adjournment.

On the motion of Senator Clark, the Senate stood adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Senator McNealus sent up a telegram from Houston protesting against martial law at Galveston.

Letter to Governor Johnson.**General Land Office.**

Austin, Texas, June 15, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am in receipt, through the Secretary of the Senate, of a resolution adopted by the Senate in which recommendation is made to the Commissioner of the General Land Office that I be granted from the Land Office a vacation and leave of absence, at such time as is mutually satisfactory, etc. I am gratified to state that the resolution meets with the approval of the Commissioner and I will avail myself of this kind and generous act after July 1st, proximo, and take this means of extending to the Honorable Senate my grateful thanks for this great compliment and honor paid me, and which will be ever cherished and appreciated the remaining days of my life.

Respectfully,

C. M. CALLAWAY.

Engrossing Committee Reports.**Committee Room,**

Austin, Texas, June 16, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 102 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, June 16, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 99 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 106 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 105 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 107 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 108 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Reports.

(Floor Report)

Senate Chamber,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Insurance and Banking, to whom was referred

S. B. No. 110, A bill to be entitled "An Act to confer upon trust companies with a capital of not less than \$500,000, the power to purchase, sell, discount and negotiate with or without its endorsement or guaranty, notes, drafts, checks, bills of exchange, acceptances, including bankers acceptances, cable transfers and other evidences of indebtedness, to purchase and sell, with or without its endorsement or guaranty, stocks, bonds, securities, including the obligations of the United States or of any State

thereof; to issue debentures, bonds and promissory notes, to accept bills or drafts drawn upon it, but in no event having liabilities outstanding thereon at any one time exceeding five times its capital stock and surplus; provided, however, that with the consent in writing of the Commissioner of Insurance and Banking, they may have outstanding at any one time ten times its capital stock and surplus."

Having had same under consideration, beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

Smith, Chairman; Gibson, Page, Woods, Suiter, Dudley, Cousins.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 117, have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 186, have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Senate Chamber,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 69, A bill to be entitled "An Act to amend Chapter 111 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-sixth Legislature, 1919, entitled 'An Act to amend Chapter 79 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas, 1918,' relating to official shorthand reporters compensation in certain counties and districts in this State; repealing all laws and parts of laws in conflict with said Chapter and said section herein amended, and declaring an emergency,"

Have had same under consideration, and I am directed by said committee to report said bill back to the Senate with the recommendation that it do pass with the following amendments, and that it be not printed:

(1) Amend the bill by striking out of Section 1 of the bill the following: "and when any party to a civil suit reported by any such reporter shall desire a transcript of the evidence in said suit, said party may apply for same and shall indicate whether he desires same in question and answer form or in narrative form. In the event said transcript should be ordered made in narrative form, then such reporter shall receive as compensation the sum of twenty cents per hundred words;" and inserting before the last sentence of Section 8 as proposed to be amended the following: "When any party to a civil suit reported by any such reporter shall desire a transcript of the evidence in said suit, said party may apply for same and shall indicate whether he desires same in question and answer form or in narrative form. In the event said transcript should be ordered made in narrative form, then such reporter shall make the same up in duplicate narrative form and shall receive as compensation therefor the sum of twenty cents per hundred words; and no statement of facts shall be made up in question and answer form or charge made therefor, except when requested by the parties to the suit."

DEAN, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries to whom was referred

H. B. No. 178, A bill to be entitled "An Act to create a more efficient road system for Coleman County, Texas, etc., and declaring an emergency,"

Have had same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and that it be not printed.

Respectfully submitted,

Wood, Chairman; Williford, Page, Carlock.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 114, A bill to be entitled "An Act to amend Article 613 of the Revised Civil Statutes of the State of Texas of 1911 providing that the issuance of certain county bonds shall be based upon and limited by the taxable values of the county, and declaring an emergency."

Have had same under consideration, and I am directed by said Committee to report said bill back to the Senate with the recommendation that it do pass, and be not printed.

DEAN, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, June 15, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Education to whom was referred Senate Bill No. 100 have had same under consideration and recommend that it pass with the following committee amendment and that it be not printed.

Alderdice, chairman; Cousins, Floyd, Williford, Witt, Buchanan of Scurry.

Committee Room,
Austin, Texas, June 15, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence to whom was referred House Bill No. 73 have had same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

SUITER, Chairman.

Committee Room,
Austin, Texas, June 15, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred Senate Bill No. 83 have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

SUITER, Chairman.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Education to whom was referred House Bill No. 50 have had same under consideration and I am directed to report it favorably with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Education to whom was referred House Bill No. 179 have had same under consideration and I am directed to report it favorably with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Education to whom was referred House Bill No. 188 have had same under consideration and I am directed to report it favorably with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Education to whom was referred House Bill No. 181 have had same under consideration and I am directed to report it favorably with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Education to whom was referred House Bill No. 185 have had same under consideration and I am directed to report it favorably with the recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled

Bill to whom was referred Senate Bill No. 32 have carefully compared same and find it correctly enrolled, and have this day at 4:36 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. B. No. 32.

"An Act providing the official court reporter of the Eighteenth Judicial District of Texas shall receive the same salary and transcript fees as court reporters for the other district courts in Harris County; making provisions for the payment of such salary, and declaring an emergency."

Section 1. The official court reporter of the Eighteenth Judicial District of Texas shall receive the same salary and compensation for transcript fees as court reporters for the other district courts in Harris County; and such salary shall be paid monthly by the counties of the district in proportion to the number of weeks provided by law for holding court in the respective counties.

Sec. 2. The fact that the salary as now established by law for the official court reporter of the Eighteenth Judicial District of Texas is inadequate for the services rendered, to the financial loss of such reporter, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage and it is so enacted.

Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, to whom was referred Senate Bill No. 55, copy hereto attached, have carefully compared same and find it correctly enrolled, and have this day, at 4:36 p. m. presented same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. B. No. 55.

"An Act to create the 91st Judicial District: fixing its jurisdiction and time of holding courts therein; providing for the appointment by the Governor of a Judge for said

91st District; providing that the District Clerk and County Attorney of Eastland County each shall be officers of said 91st District Court and fixing their compensation for services rendered therein; providing for transfer of cases from and to the 91st Judicial District Court and the Eighty-Eighth Judicial District Court from one court to the other, requiring notice of such transfer of cases in certain instances to be given; providing that suits shall be alternately filed in said 91st Judicial District Court of Eastland County, and the 88th Judicial District Court of Eastland County; providing that no grand jury in said 91st District Court of Eastland County shall be organized unless it is specially ordered by the Judge of said 91st District; providing that from and after the first day of January of the year A. D. 1925, said 91st Judicial District Court shall cease to exist; declaring that an emergency exists requiring the immediate passage of this Act."

Be it enacted by the Legislature of the State of Texas:

Section 1. That the 91st Judicial District of Texas be and the same is hereby created, to be composed of the County of Eastland in the State of Texas, and the jurisdiction of said District Court shall be coextensive with the limits of said county over all cases, and civil and criminal proceedings and matters of which District Courts of this State are given jurisdiction by the Constitution and laws of this State.

Sec. 2. The terms of said Court shall be as follows:

Beginning on the first Monday in February, April, June, August, October and December of each year, and may continue in session until the business of the Court is disposed of.

Sec. 3. The District Clerk of Eastland County shall be the Clerk of the District Court of said 91st Judicial District, sitting in Eastland County, and shall receive such compensation for his service as is provided by law for District Clerks.

Sec. 4. The County Attorney of Eastland County shall do and perform all the duties of County Attorney and District Attorney in the said 91st Judicial District, as well as the 88th Judicial District, composed of Eastland County, and shall receive the same compensation for his serv-

ices as is now or which may hereafter be fixed by law for District Attorneys acting in Judicial Districts composed of two or more counties.

Sec. 5. the Governor of Texas, immediately upon the taking effect of this Act, shall appoint a suitable and legally qualified person as District Judge for the 91st Judicial District, who shall hold his office until the next general election and until his successor is duly elected and qualified.

Sec. 6. The District Courts of Eastland County, Texas, shall have concurrent civil and criminal jurisdiction with each other in said county in matters over which the jurisdiction is given or shall by the Constitution and laws of Texas to District Courts; provided, that no grand jury shall be impanelled in the 91st District Court of said County, except that by special order of the Judge of said 91st District Court, a grand jury shall be called for said Court.

Sec. 7. Either of the judges in the said District Court of Eastland County may, in their discretion, either in term time or in vacation, transfer any case or cases, civil or criminal, to any other of said District Courts by order entered on the minutes of his court, or minutes of orders made in chambers as the case may be, which orders, when made, shall be copied and certified to by said Clerk, together with all orders made in said case, and such certified copies of such orders shall be filed among the papers of any case thus transferred, and the fees thereof shall be taxes as a part of the costs of said suit, and the clerk of said court shall docket any such case in the court to which it shall have been transferred, and when so entered, the court to which the same shall have been thus transferred shall have like jurisdiction therein as in cases originally brought in said court, and the same shall be dropped from the docket of the court from which it was transferred; provided, that when shall be a transfer of any case from one court to the other, as herein provided, on motion of either of the parties to said suit, notice must be given to either the opposite party, or his attorney, by the party making the motion to transfer, one week before the time of entering the order of transfer.

Sec. 8. When the court provided by this Act is organized, and the law

creating this court takes effect, the Clerk of the District Court of Eastland County, Texas, shall file all suits in his office alternately in said 88th Judicial District Court and said 91st Judicial District Court herein provided for.

Sec. 9. From and after the first day of January of the year A. D. 1925 the existence of the 91st Judicial District herein provided shall cease, and the functions of the District Court hereby established in said district shall terminate and any unfinished or pending business in or connected with said court in said 91st Judicial District shall by the clerk of said court be transferred to the court in said 88th Judicial District.

Sec. 10. The rapid settlement of Eastland County, Texas, and the unprecedented amount of litigation caused by the discovery of oil and gas in said county, and the crowded condition of the docket of the 88th District Court of said county, and the want of time for disposing of the business of the district court of said county now existing therein, and the fact that by reason of congestion of said docket, many important matters of litigation cannot be disposed of, and said condition practically denied the litigants of said county and opportunity to have their cases heard and determined by the courts of the country, and in many instances caused them grave injury and serious financial loss; and the further fact that the criminal docket of the District Court of Eastland County is also very seriously congested and many defendants are unable to secure a speedy trial, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days be suspended, and that said rule be and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, June 16, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, to whom was referred Senate Bill No. 18, have carefully compared same and find it correctly enrolled, and have this day, at 4:36 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. B. No. 18.

An Act to create a more efficient road system for Eastland County, Texas, defining the duties and powers of the commissioners court of said county relative to road and bridges of said county and to empower the commissioners court to establish rules, regulations and a system for maintenance, laying out, construction and repair of such roads and bridges, and to condemn property for such purposes and making such county commissioners ex-officio road commissioners of their respective districts and prescribing their duties and compensation as road commissioners; and providing for the selection of a county engineer of said county, prescribing the time for which he shall serve, his duties and compensation and providing conditionally for the employment of a consulting engineer; and providing for the laying out and widening, drainage, construction, building, repairing and maintenance of public roads of said county and for the classification and abandonment thereof; and providing for the condemnation of lands and material for use in opening, construction, repairing and maintaining such public roads; authorizing such court to direct the opening up of and to open drains along railways in said county; and providing for the separation of crossings with the railways and railroads in such county, and the division of the expense thereof, and prohibiting the blockade of the county road by trains, etc., and fixing a penalty; and establishing road service and road overseers in said county and providing for the payment of a road tax; and directing the application of the road and bridge fund of said county; and the proceeds of the sale of the bonds of said county issued for road and bridge purposes; authorizing the employment of all necessary labor, teams, wagons, and other equipment, and providing for all necessary clerical help and providing for payment thereof; and providing for the use and management and control of the county convicts of said county; and providing for the letting of contracts and the purchase of sup-

plies in certain cases; and prohibiting the members of said court and officers of said county from becoming financially interested therein; and providing for the issuance and sale of bonds in said county for the purpose of the purchase of district roads and the further construction, building, improving and maintaining roads and bridges of a permanent nature in said county and authorizing a transfer to the road and bridge fund common of any money on hand collected on account of any bonds now or hereafter retired and canceled, requiring the county treasurer of said county to keep a separate account of the sale of such bonds and limit his duties in the disbursement thereof, and declaring this act cumulative of the General Laws except in case of conflict when this Act shall control, and repeal all laws and parts of laws in conflict with this Act, and particularly repealing Chapter 56 of the Special Laws of the Thirty-fourth Legislature passed in 1915, and Chapter 8 of the Special Laws of the Twenty-eighth Legislature, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That, subject to the provisions of this Act, the Commissioners Court of Eastland County shall have full power and authority, and it shall be its duty, to adopt at a meeting of said court at which the county judge and at least three of the county commissioners of said county shall be present, and cause to be recorded in its minutes, and put into effect, such rules, regulations, plans and system as it may see fit, for laying out, widening, draining, constructing, building, repairing and maintaining the public roads of said county, and from time to time, as said court may see fit and in the same manner, to change such rules, regulations, plans and system, and the same shall be binding upon and shall be observed and obeyed by the county commissioners of said county when serving as road commissioners of their respective districts, and by the county engineer of said county.

Sec. 2. Subject to the provisions of the Act, said court shall have power, and it shall be its duty, from time to time to purchase any and all such teams, tools, implements,

machinery, material and supplies, and to employ such hands and teams and to make on behalf of said county and all such contracts as said court may deem proper and reasonably necessary to carry into effect the provisions of this Act.

Sec. 3. Each county commissioner of said county shall be ex-officio road commissioner for his district, and under the direction and supervision of said court, and subject to the rules and regulations, and in accordance with the plans and system so adopted by the court from time to time, shall have charge of all teams, tools, material, supplies and property belonging to said county which may be placed in his hands by said court, and superintend the laying out, opening, widening, draining, grading, construction, building, repairing and maintenance of roads and bridges in his district. Before entering upon the duties of his office, each of said commissioners shall execute to the county judge an itemized receipt of all teams, tools, material, supplies and property belonging to said county which may come into his possession, and shall execute a bond in the sum of one thousand dollars, with two or more good and sufficient sureties or surety company, payable to the county judge of said county and his successor in office, in trust for the use and benefit of the road and bridge fund of said county, to be approved by said county judge, conditioned that such commissioner will faithfully perform all the duties of such road commissioner required of him by law, and also all the duties of road commissioner required by him by the court and account for all teams, tools, materials, supplies and property belonging to said county which may come into his possession. When at any time any additional teams, tools, materials, supplies or property belonging to said county shall come into the possession of any commissioner, he shall, upon receiving same, execute to the county judge an itemized receipt therefor. Each commissioner shall receive as compensation for superintending and inspecting the public roads of his district and the performance of the duties herein required of him as road commissioner, and all other duties imposed upon him as county commis-

sioner the salary provided by the General Law of Texas.

Sec. 4. Before entering upon the duties of his office each of said commissioners shall take the oath of office prescribed by the constitution and by law, and also give the bond now required of him under the statutes of the State of Texas.

Sec. 5. Whenever the commissioners court deems it necessary and advisable, said court may elect a competent engineer for such time as said commissioners court may deem it necessary and expedient, and such engineer shall receive for his service such compensation as may be agreed upon with the commissioners court, payable out of such funds as may be designated by the commissioners court. Said engineer shall work under the direction of said commissioners court and shall perform such duties and render such service as required of him by said court and said engineer shall, with the approval of the county judge or commissioners court employ such assistants, help and clerical help, and purchase such supplies as may be necessary for the proper and efficient conduct of the office and business of the county engineer.

Sec. 6. The commissioners court of Eastland County, Texas, shall meet at the courthouse, Eastland County, at 10 a. m. on the second Monday of each month, and may remain in session until the business of said court is transacted.

Sec. 7. The county judge shall as such road commissioner, inspect and advise from time to time on roads in the county and aid and assist each road commissioner in his precinct, to inspect and supervise the roads therein; he shall also preside at the meetings of the commissioners court provided herein, shall have charge of all unsold bonds belonging to said county or any subdivision thereof, and shall as directed by the commissioners court negotiate the sale of any such bonds; and for acting as such road commissioner he shall receive as compensation such sums of money as the commissioners court shall deem it to be just and equitable, and the same shall be payable out of the general fund or shall be paid in the same manner and out of the same fund as the salaries of the county commis-

sioners are paid; provided, however, that said ex-officio allowances together with the fees of such office, if any, shall never exceed the maximum allowance of fees which the county judge may receive and retain under the general laws of the State of Texas.

Sec. 8. Should the commissioners court deem it advisable, it shall have the right to employ all clerical assistance necessary to attend to the affairs of the commissioners court, and all clerical work connected with the official duties of the members thereof, and to fix the salaries of such assistants to be paid out of the general fund of the county, or any other available fund.

Sec. 9. Under the provisions of this Act the commissioners court shall have the right and it shall be its duty from time to time to purchase any necessary, tools, teams, wagons, machinery material or supplies and to employ any necessary men, equipment, or teams and to make on behalf of the court all necessary contracts to carry this Act into effect; said court shall provide for the notice, advertisement and the manner or receiving, competitive bids under this act.

Sec. 10. As far as is practicable, all roads shall be thoroughly graded and drained and all road beds, bridges, and culverts and drain pipes should be of durable material, and bridges of steel or cement or steel and cement, and the culverts of cement or durable material. All culverts and bridges of first and second class roads shall be not less than 16 feet wide and of sufficient strength to hold up and support farm and road engines.

Sec. 11. Whenever it shall be or become necessary to occupy any land for the purpose of opening, widening, straightening, draining, grading, constructing, building, improving, repairing or maintaining any public road of said county, or any part thereof, of said county, through said court, may enter upon, occupy and take such land, paying therefor, if the owner thereof and said court can agree on the price thereof, the value of the land so taken, and the amount of damage, if any, to be paid; but if such owner and the court cannot agree thereon, said county may proceed to condemn such land in the same manner that a railroad com-

pany, under laws now existing, or to be hereafter passed, may condemn land for right of way; and the same proceedings may be had, and the same right as to each party shall exist as would exist if the proceedings were by a railroad company except that in no case shall the county be required to give bond; provided, that nothing contained in this section shall be held to repeal the provisions of the General Law now in force, or to be passed, relating to the opening of public roads by a jury of view, but this section shall be held to be cumulative thereof, and the commissioners court of Eastland County may, at the option of said court in the case, act under the provisions of such General Law, or under the provisions of this Act.

Sec. 12. Said court may enter upon and take from any land adjacent to or most convenient, or accessible to, any public road of said county, earth, stone, gravel, or other material necessary or suitable for the grading, construction, building, repair, improvement or maintenance of such road, excepting fuel and wood, paying therefor if the owner of the land and the court can agree on the price thereof, the value of such material so taken and the damages, if any, may be ascertained, determined and paid under the next preceding section of this Act, and same shall be applicable to such case.

Sec. 13. Whenever it shall be made to appear to the satisfaction of the court that it is necessary for the better drainage of any public road or roads within said county that the ditches along the right of way of any railway in said county should be opened and cleaned out or the bar pits along such right of way emptied and drained, said court may, by an order entered upon its minutes at a regular or special term of the court, require any such railway whose ditches or bar pits are so constructed or so out of repair as to impede the easy and rapid flow of water accumulating on, along or near its right of way to the nearest gully, ravine, creek, water course of outlet, and it shall be the duty of said railway in reference to which said order is made and entered, within sixty days after a certified copy of said order shall have been delivered to any general officer of such railway company, or to any of

its agents in said county to supply proper and sufficient drainage in the premises, and within sixty days thereafter to commence the work so ordered to be done, and to continue such work with reasonable dispatch until its completion to the satisfaction of said court; and in the event such railway company, its officers and agents, shall fail to comply with the terms of said order, and shall fail to commence work within a reasonable time, the commissioners court shall have said work performed, keeping an accurate account of the money expended upon said work and said money so expended may be recovered from the railway company, along whose right of way said work was done, at the suit of the county, for the benefit of its road and bridge fund, in any court of competent jurisdiction in Eastland County.

Sec. 14. Under proper petition being filed, and notice being given as required in case of the location of the road, said commissioners court may declare any such road vacated and abandoned, and its location and establishment to be held for naught, if in their judgment the same has ceased to be of public utility, and the public need, convenience and welfare no longer demand the maintenance thereof; but private rights of persons, acquired by reason of location and establishment of such road, shall not be interfered with nor in any way impaired thereby unless due compensation be made therefor.

Sec. 15. All County road and bridge funds raised by direct taxation and all other money that may come into the road and bridge fund in said county, not including moneys received from sale of county bonds issued for road purposes, shall be applied by an order of the commissioners court to the building, construction and repair of the various roads in said county in such manner as to give a fair and equitable division of said funds. Said commissioners court shall have authority, and may, at its discretion, divide or sectionize said cardinal and intermediate roads into sections of not less than three miles nor more than ten miles, and may, at its discretion, appoint a road keeper for each section or division. If such road-keeper is appointed he shall, under the supervision, control and direction of the commissioner in whose district his duties are to be performed, haul the necessary gravel, rock and other ma-

terial, and perform the necessary labor to constantly repair and to maintain said cardinal and intermediate roads in good condition. Said road-keeper shall receive as compensation for his labor any sum fixed by the commissioners court. Said commissioners court may also have authority and may at its discretion, appoint one road supervisor for each commissioners district. If appointed, such road supervisor shall have charge, under the direction and control of the commissioners court, and in the absence of direct orders from said court than under the supervision, control and management of the commissioner in whose district his duties are to be performed, of all road building and repairs in their respective districts, except the work done by the county convicts but they may superintend the work being done by the county convicts in their districts when directed to do so by the commissioners court, or the commissioner for that district.

Said road supervisor shall receive as compensation for his services any sum fixed by the county commissioners court. He shall be responsible for all tools and machinery left in his care, and shall account to the Commissioners Court for all such tools and machinery. The appointment of road supervisors, if made, however, shall not relieve the commissioners of the duties of road commissioners of their respective districts, and they shall devote such of their time to the performance of such duties as provided in this Act and by General Law as is required in attendance upon the sessions of the commissioners court or in the performance of their duties as county commissioners.

Sec. 16. Whenever it shall be made to appear to the satisfaction of said commissioners court that it is necessary for the better drainage or maintenance of any public road, or roads, or for the protection of the life or property of persons using such public roads within said county that the ditches or road crossings thereof along or across the right-of-way of any railroad or railway, corporation, individual, association, or the receiver thereof, in said county shall be opened and cleared out of the bar pits along such right of way be emptied and drained, or said road crossings are as the commissioners court shall deem the same of sufficient necessity of importance, such crossing of said public roads and such railroads shall be separated in accordance with an order

for such, filed as herein provided, designating whether the same shall be an over-pass or under-pass, and said court may be an order entered by the minutes at a regular or special term of court require any such railway or railroad, corporation, individual, association or the receiver thereof whose ditches, bar pits or crossings are so out of repair or become so situated as to impede the easy and rapid flow of water, accumulating on, or along its near right of way, to repair said crossing or supply proper and sufficient drainage in the premises or to separate such crossing. If the commissioners court shall deem it advisable to separate the road and railroad crossing it shall upon its minutes so find and specify and in such order shall find and specify an equitable apportionment of the cost of the separation of such crossing, and the manner and place at which the same shall be separated and shall furnish such railroad or railway, corporation, individual, association, or the receiver thereof with a properly certified copy of such an order and finding. If within 90 days after such certified copy shall have been furnished said railway or railroad corporation, individual, association, or the receiver thereof, or the same shall have been delivered to any general officer of said company, corporation, individual, association or the receiver thereof, and such railway or railroad, corporation, individual, association or the receiver thereof shall fail to comply with the terms of said order and shall fail to commence work within said period of 90 days as above provided, or shall not continue with such work with a reasonable dispatch to the completion of such work to the satisfaction of said court, then said court shall have said work performed, keeping an accurate account of money expended for said work, and the money upon said work shall be recovered from such railway or railroad, corporation, individual, association, or the receiver thereof, at the suit of said county in any court of competent jurisdiction in said county for the benefit of road and bridge fund of said county; in the event said commissioners court shall deem it necessary that any other things above specified to be done, should be done, the same procedure shall be had as in the separation of the crossings, except that said work shall be begun within 30 days.

Sec. 17. Said court shall require all county convicts of said county who may be physically able and not, other-

wise employed to labor on the public roads of said county under such rules and regulation as said court may prescribe; and each convict so worked shall receive a credit of fifty cents, on his fine first, and then on the costs, for each day he may labor; and said court may at a regular term allow to the officer such amount of their costs for the arrest and conviction of said convicts as is provided in Article 6247, Revised Civil Statutes of 1911, which amount shall be paid out of the road and bridge fund on the warrant of the commissioners court when said fine and costs shall have been worked out as provided in this section; provided, that this shall not be so construed as to relieve any convict from the payment of all costs for which he would be liable under the General Laws of this State; said Court may, as a reward of good behavior and faithful service, grant a reasonable commutation of time for which a convict is committed; provided that such commutation shall in no case exceed one-tenth of the whole time. Said court may provide all such houses, prison, tents, clothing, bedding, food, medicine, medical attention, supplies and guards as it may deem necessary or proper for the safe and humane treatment, and for the safeguarding of such county convicts. Said Court may also provide, and enforce, and such guards may, under the direction of said court, and in accordance with its rules and regulations, administer such reasonable and humane punishment as may be necessary to require such convicts to perform good work. Said court may provide a reward, not exceeding ten dollars in any instance, to be paid out of the road and bridge fund, for the recapture and delivery of any escaped convict; but no such reward shall be paid to any guard or person in charge of or assisting such convict at the time of his escape.

Sec. 18. The work of the convicts shall be divided between the various commissioners precincts in proportion as the total number of scholastics enrolled within such commissioners precinct which bear to the total number of scholastics enrolled in said Eastland County.

Sec. 19. Whenever the commissioners court of said county shall deem it necessary or expedient to build, construct, improve, repair or maintain first or second-class roads of said county of a permanent nature with the proceeds of the sale of bonds, to be issued for road and

bridge purposes, said court shall at any regular or special meeting, pass and record in its minutes a resolution setting forth that it is the sense of said court that public roads and bridges of a permanent nature should be built, constructed, improved, repaired or maintained in said county, and that the county should issue its bonds to raise money for that purpose, and in an amount to be named in such resolution. Said resolution shall be submitted to the vote of the property owning qualified voters of said county at a regular or special election which may be ordered by said court for that purpose; and if at such election a majority of the votes cast shall be for such resolution, it shall be deemed to be adopted, but if a majority of the votes cast at such election shall be against said resolution, it shall be deemed to be rejected. Such election shall be governed in all respects by the laws governing elections in this State, and the returns shall be made and canvassed in the same manner and the result declared by proclamation of the county judge of said county, which proclamation shall be posted in at least three public places in said county, and at the option of said court, published in some newspaper in said county.

Sec. 20. No person shall be permitted to vote at any election provided for in the next preceding section of this Act unless he is a property owner and taxpayer, and qualified voter of said county. Those desiring to vote for the resolution shall have written or printed on their tickets the words, "For the resolution to issue bonds to" (Here insert such purpose of the proposed bond issue as set forth in said resolution.) Such tickets shall be written or printed on plain white paper with black ink, and shall contain no distinguishing mark or device, except as above provided, and if printed shall be in type of uniform size and face.

Sec. 21. If at the election herein provided for, a majority of the qualified voters at such election shall vote in favor of the resolution provided for in Section 20 of this Act, and after the commissioners court has canvassed said vote and declared the result, and after the proclamation of said county judge, declaring said result, it shall be the duty of said court, under the supervision and di-

rection of the Comptroller of this State, to prepare and execute the bonds of the county for such sums as may be deemed advisable by said court not exceeding the amount stipulated in said resolution, said bonds to bear not exceeding five and one-half per cent interest, payable annually and which shall be redeemable in not less than five years and not more than four years from the date thereof, the time of maturity to be expressed on the face of the bonds, and shall have such bonds registered or enrolled as the case of other county bonds and the same shall not be sold or negotiated at less than their par value; provided that in no case shall said court issue bonds under this act for a greater sum or amount than that a levy of fifteen cents on the one hundred dollars property valuation of said county will yield sufficient revenue to pay such interest as it accrues, and will at the same time create a sinking fund sufficient to pay the principal of such bonds at maturity.

Sec. 22. When the bonds of the county are issued and sold under the provisions of this Act, it shall be the duty of said commissioners court to levy an annual ad valorem tax on all property of the county which tax, when collected, shall be used only for the purpose of paying interest on the county road and bridge bonds and creating a sinking fund to pay the principal of same. It shall be unlawful for said court to divert or apply any of the funds arising from the sale of such bonds to any purpose other than the construction, building, repair, and maintenance of such first and second-class roads of such county of a permanent nature, and except as provided in this Act, it shall be unlawful for said court to transfer any money or funds from the road and bridge fund to any other fund of said county or to divert or apply any of such road and bridge fund to any purpose whatever other than the laying out, opening, widening, draining, grading, construction, building, repair and maintenance of the public roads of said county.

Sec. 23. It shall be the duty of the county treasurer of Eastland County to keep a separate account of all moneys received from the sale of bonds of said county issued for road and bridge purposes, and he shall pay out none of it except on written

order or warrant of said court, specifying the contract against which it is drawn or for the purpose for which it is expended.

Sec. 24. Except as otherwise provided in this Act, no moneys derived from the sale of such bonds of said county shall be expended by said court except under written contract, as provided in Section 25 of this Act and no contract requiring the expenditure of money derived from the sale of such bonds shall be let or be valid until said county engineer or road superintendent shall have made and filed with said court maps, profiles, plans, specifications and estimates for the work to be done under such contract and not until said court shall have considered same and shall by an order of record in which four members of said court, the county judge being present; shall, by vote, concur or have adopted plans and specifications for such work, and the plans and specifications so adopted by the court shall be made a part of such contract; provided, however, that in the event said court shall have at least twice advertised for and rejected bids, the court, should it see fit to do so, may at its discretion, and by a vote of not less than four members of said court, the county judge being present, proceed to do the work mentioned in said advertisement. In the expenditure of road funds other than money derived from the sale of bonds, the commissioners court by a vote of not less than four members of said court, the county judge being present, may authorize the building, construction, and repair of roads, same to be done by contract, day labor or convict labor, as said court shall deem to be to the best interest of the county.

Sec. 25. Whenever in pursuance of the provision of this Act said court shall desire to make any purchase or to let any contract for which this act requires the invitation by said court of competitive bids on the letting of a contract therefor, said court, or said county judge, under its direction, may advertise for bids therefor in such manner and for such time as the order of the court therefor shall designate, stating whether bids will be received for the whole only or for any part of such completed purchase, work or contract, and reserving to the court the right to reject any and all bids. Before the acceptance of any such bid on the letting of any such con-

tract, a written or printed copy of such advertisement shall be posted for not less than one entire day on a suitable bulletin board, which shall be provided and maintained by the court for that purpose at the door or inside the county court house of said county, and no contract amounting to one thousand dollars or over shall be let until after the expiration of ten days from such posting of such advertisement, provided that the requirement of this section as to advertisement shall not apply to emergency purchases, work or contracts under authority therefor conferred by Section 26 of this Act. Said court shall require such contractor to enter into a bond in an amount to be set by said court, with two or more good and sufficient sureties or surety company, payable to the county judge of his county or his successors in office, in trust, for the use of the road and bridge fund of said county, to be approved by said court, and conditioned for the faithful performance of such contract. No such contract shall become effective until the board herein required shall have been filed and approved by the court. Whenever said court, during the progress of such work, shall allow to such contractor an estimate thereon, said court shall withhold ten per cent of such estimate, which amount shall not be paid out until said work shall have been completed according to the contract, and accepted by the court. At the time of making such contract, said court shall direct the county treasurer of Eastland County to place, and he shall place, the amount of such contract to a particular fund for that purpose, and shall keep a separate account of such fund, which shall not be used for any purpose, and shall be paid out only on the written order or warrant of said court.

Sec. 26. The commissioners court of Eastland County is authorized and empowered whenever and in such manner as it may determine to transfer to and make a part of the road and bridge fund of said county any money now in the county treasury of said county heretofore collected by said county to pay interest and create a sinking fund for any bonds of said county heretofore issued and which have not been retired and cancelled. Such money so transferred to the road and bridge fund may be expended by the commissioners court

at its discretion in construction or repairing any of the first or second-class or cross roads of the county, such expenditures to be made in compliance with the provisions and requirements of Sections 24 and 25 of this Act.

Sec. 27. It shall be unlawful for any member of said commissioners court, or for any county officer of Eastland County to be or become financially interested, directly or indirectly in any contract with said county for road work, or for the purchase or for the sale of any material or supplies of any character, or in any transaction whatever in connection with any of the roads of said county excepting only his only salary, fees or per diem. If any such county commissioner or such county officer shall wilfully violate any of the foregoing provisions of this section, he shall be deemed guilty of malfeasance in office, and upon conviction thereof shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail of said county not more than one year, or by both such fine and imprisonment; and in addition thereto, shall be forthwith removed from office. If any member of said commissioners court or any such county officer shall violate any of the other provisions of this Act, he shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars.

Sec. 28. All fines for any and all violations of any of the provisions of this Act and any and all moneys which may be collected by or on behalf of said county, on, under or by virtue of any contract which may be executed under the provisions of this Act, shall be applied to the road and bridge fund of said county.

Sec. 29. Every person in Eastland County, Texas, liable for road duty who shall on or before February 1st, of any year pay to the county tax collector, Eastland County, the sum of five dollars shall be exempt from road duty for such year. It shall be the duty of said tax collector to collect from each person liable for road duty the sum of five dollars and he shall be entitled to retain from such sums so collected 10 per cent of same and the balance he shall pay over to the county treasurer as other county

funds for credit of road and bridge fund of said county.

Sec. 30. All authority heretofore vested in road overseers, shall within each commissioners precinct be vested in such commissioner. Said commissioner shall have the right and authority to appoint one or more special overseers who shall take the oath of office required of a county commissioner, and said special overseers shall have within such commissioners precinct, the authority and powers vested by General Laws in overseers for specified roads. Said commissioners or said overseers, as the case may be, shall receive for their services in addition to all other compensation provided by law, \$1.00 for each person warned out to work the road, to be deducted from road tax if paid or to be paid out of road and bridge fund, if time is worked out upon said roads. Said county commissioner or special road overseer shall serve notice to work road and warning as is provided by General Statute under the pains and penalties of the General Laws of the State of Texas.

Sec. 31. In this Act the word "road" includes roadbeds, ditches, drains, bridges, culverts and every part of every public road, and it shall be so construed.

Sec. 32. All provisions of this Act relative to proceeds of sale of bonds of said county shall apply to all proceeds of sale of such bonds whether issued heretofore or to be hereafter issued, and whether such bonds have been sold or shall hereafter be sold.

Sec. 33. The provisions of this Act are, and shall be held and construed to be cumulative of all General Laws of this State, on the subjects treated of in this Act when not in conflict therewith, but in case of such conflict this Act shall control as to Eastland County.

Sec. 34. Any and all laws in conflict with any of the provisions of this Act shall be and the same are hereby repealed.

Section 35. The fact that under the present law it is impossible to handle the affairs pertaining to the public roads of Eastland County to the best advantage, and the necessity for the amendment provided for in this bill are pressing and greatly needed, creates an emergency and an imperative public necessity requiring that the constitutional rule which re-

quires bills to be read on three several days be suspended, and the same is hereby suspended and that this Act take effect and be in force from and after its passage.

Committee Room,
Austin, Texas, June 16, 1920.
Hon W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, to whom was referred Senate Bill No. 41, copy hereto attached, have carefully compared same and find it correctly enrolled, and have this day, at 4:36 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. B. No. 41.

"An Act creating the Mt. Enterprise Independent School District of Rusk County; defining its boundaries; vesting it with the rights, powers, duties, and privileges of districts incorporated for school purposes only under the General Laws; providing for a board of trustees therefor; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That there is hereby created and established in Rusk County, Texas, an incorporation for free school purposes only, under the name and to be known as the Mt. Enterprise Independent School District, which shall include within its limits the following described territory, to-wit:

Beginning at the N. E. C. of Manuel (?) Vidales $\frac{1}{2}$ league of land on the W. B. L. N. Villarel league;

Thence S. $1\frac{1}{2}$ W. 630 vrs. crossing a branch 5 vrs. wide, a part of the east fork of the Angelina River, continuing said course at 808 vrs. to the N. W. C. of a block of land belonging to March Bros. of the N. Villarel league;

Thence East 1580 vrs. to the N. E. C. of said March land on the division line of said league, said division line running north and south;

Thence south 5880 vrs. with said division line to the N. B. L. of the Ed. Burgess land situated on the southern end of the N. Villarel league;

Thence E. 1447 vrs. to the E. B. L. of the said N. Villarel league, the-

same being the N. E. C. of said Ed. Burgess tract;

Thence S. 660 vrs. to the S. E. C. of said N. Villarel league;

Thence W. 867 vrs. with the S. B. L. of said league to the N. E. C. of G. C. McKay survey;

Thence S 300 vrs. with McKay's E. B. L. to the N. B. L. of H. F. Stockman's 177 acre tract;

Thence East with north line of said Stockman survey 860 vrs. to the N. E. C. of same;

Thence S. 653 vrs. with Stockman's E. B. L. to the N. B. L. of the Wm. Brewer survey;

Thence N. 86 E. 281 vrs., Wm. Brewer's N. E. C.;

Thence S. 5 E. with Brewer's East Line 2642 vrs. to S. E. C. of same;

Thence S. 86 W. 4000 vrs. to Henry Meyers E. B. L.;

Thence S. 220 vrs. to the Henry Meyers S. E. C.;

Thence West 465 vrs. to the E. B. L. of the Thos. Williams league;

Thence S. with the E. B. L. of the said Thomas Williams league 510 vrs. to the S. E. C. of same;

Thence W. with the south B. L. of said Thomas Williams league 8000 vrs. to the Angelina River;

Thence up said Angelina River with the meanders of same to the S. B. L. of John Randolph survey, the same being the N. W. C. of the Leonard Williams league;

Thence E. with John Randolph's south line 1217 vrs. to the S. W. C. of the M. Vidales survey;

Thence N. 480 vrs. passing the S. E. C. of the Robt. Beall survey and at 1162 vrs. crossing the Angelina Creek 5 vrs. with course S. W. and at 1410 vrs., the N. W. C. of said Vidales survey and the S. W. C. of the D. D. Smith 320 acre survey;

Thence E. with the N. line of said Vidales survey 774 vrs. crossing said Angelina Creek 5 vrs. with and at 4841 vrs. to the place of beginning.

Sec. 2. Said Mt. Enterprise Independent School District shall have and exercise, and is hereby vested with all the rights, powers, privileges and duties of a town or village incorporated under the General Laws of this State for free school purposes only, and the board of trustees of said Mt. Enterprise Independent School District shall have and exercise, and is hereby vested with all the rights, powers, privileges and duties conferred and imposed by the General Laws of this State upon the trustees

of Independent School Districts created and organized for school purposes only under the General Laws of this State. Among the rights, powers, privileges and duties mentioned shall be the rights and powers of levying and collecting taxes, for the issuance of bonds for the purpose of constructing and equipping public free school building or buildings for said district, the purchase of land for school house sites and for the maintenance of the public free schools as are provided under the General Laws for the levying and collecting taxes for the said purposes in towns and villages incorporated for public free school purposes only.

Sec. 3. The control and management of the schools of the said Mt. Enterprise Independent School District are hereby vested in a Board of seven trustees, to be elected in accordance with Section 164, Chapter 124, of the Acts of the Twenty-ninth Legislature; provided, that immediately on the taking effect of this Act the County Judge of Rusk County shall, without the necessity of a petition addressed to him for that purpose, order an election for seven trustees for said Mt. Enterprise Independent School District of Rusk County and the order of election, election notice, manner of holding the same, etc., to be in accordance with the provisions of the General Laws governing the election of trustees in independent districts.

Sec. 4. The board of trustees herein provided for the Mt. Enterprise Independent School District shall be vested with the title to all school property now situated within the Mt. Enterprise Common School District, and shall assume all obligations and carry out all contracts now existing, which have been incurred, or which have been made by the trustees of the Mt. Enterprise School District and duly approved by the County Superintendent of Rusk County.

Sec. 5. The deplorable conditions of the public free school within said district as herein laid out, being without adequate school accommodations and without necessary funds to provide the same creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force

from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, June 16, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills to whom was referred Senate Bill No. 40, copy hereto attached, have carefully compared same and find it correctly enrolled, and have this day, at 4:36 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. B. No. 40.

An Act creating and incorporating the Lorenza Independent School District, in Crosby County, and Lubbock County, Texas, and defining the boundaries thereof, providing for a board of trustees thereof, and defining their powers and authority, authorizing said board of trustees to levy, assess, and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for a board of equalization of said school district, providing for an election of trustees thereof, and providing for an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the territory within the bounds of the town of Lorenzo, in the County of Crosby and Lubbock County, Texas, and other lands and territory adjacent thereto in the County of Crosby and of Lubbock County, Texas, as hereinafter described, be and the same is hereby incorporated as an independent school district for public free school purposes only, under the name of the Lorenzo Independent School District.

Sec. 2. Beginning at the N. W. corner of Survey 115, Block 6, same being the S. W. corner of Esticado School District, for the Northwest corner of this district;

Thence East about 3 miles across the Lubbock-Crosby county line, in all 6 miles along and with survey lines to the S. E. corner of survey 19 Block C; continuing East at about 2/5 mile a point in the West base line of survey No. 893;

Thence South about one-third mile to the S. W. corner of said Survey 893;

Thence East 2 miles along and

with survey lines to the S. E. corner of survey 894;

Thence North one mile to the N. W. corner of survey 891;

Thence East 2 miles along and with survey lines to the N. E. corner of survey 892, same being the N. E. corner of this district;

Thence South 2 miles along and with survey lines to the S. E. corner of survey 912;

Thence West 2 miles along and with survey lines to the N. W. corner of survey 910;

Thence South 6 miles along and with survey lines to the S. E. corner of survey No. 6, Block I, same being the Southeast corner of this district;

Thence West 3 miles along and with survey lines to the S. W. corner of survey No. 3, Block C3;

Thence North about 1/4 miles to the S. E. corner of the Weir tract same being the N. E. corner of McDonald tract;

Thence West about one-third mile with survey line to a point in the E. B. L. of survey 45, Block C;

Thence South a short way to the S. E. corner of said survey 45;

Thence West 2 miles along and with survey lines to the intersecting of the South line of survey 50 with the Lubbock-Crosby county line;

Thence North along and with the said county line to a point directly East of the S. E. corner of survey 81;

Thence West to the said S. E. corner of survey 81; continuing West 3 miles to the S. W. corner of survey 119, same being the S. W. corner of this district;

Thence North 5 miles along and with survey line to the place of beginning.

Sec. 3. The management and control of the public free schools in the said Lorenzo Independent School District is hereby vested in a board of trustees, which board shall be composed of seven persons, resident citizens and qualified voters within said district, and each member of the said board of trustees, before entering upon the discharge of his duties, shall make and subscribe the usual oath for the faithful and impartial discharge of the duties of his office.

Sec. 4. The board of trustees of the Lorenzo Independent School District shall be a body politic and corporate in law, and as such may contract and be contracted with, sue and be sued, plead or be impleaded in any court of this State of proper jurisdiction.

tion, and may receive any gifts, grant, donation or devise made for the use of the public schools of the district.

Sec. 5. The board of trustees of said Lorenzo Independent School District shall manage and control the public free schools within said district to the exclusion of every other authority excepting in so far as the State Superintendent of Education and the State Board of Education may be vested with the general supervisory authority to instruct said board.

Sec. 6. Immediately upon the taking effect of this Act the county judge of Crosby County, Texas, shall order an election for the election of seven trustees to serve as trustees of said Lorenzo Independent School District, whose terms of office shall be as follows: The terms of office of the seven trustees chosen at the first election under this Act shall be divided into two classes, and the members shall draw for the different classes; the four members drawing the numbers one, two, three and four shall serve for one year or part thereof, that is until the first Saturday in April, A. D. 1921, thereafter, and until their successors are elected and qualified; and the three members drawing the numbers five, six and seven shall serve two years, that is, until the first Saturday in April, A. D. 1922, thereafter, and until their successors are elected and qualified; and regularly thereafter on the first Saturday in April of each year, four trustees and three trustees, alternately, shall be elected for a term of two years to succeed the trustees whose term shall at that time expire.

Sec. 7. Before any trustee enters upon the discharge of the duties of his office, he shall swear that he will faithfully and impartially discharge the duties of such office; and his affidavit to that effect shall be filed after the first election with the county judge, and after all subsequent elections with the president or chairman of the school board.

Sec. 8. The trustees chosen under this Act shall meet within twenty days after the election, or as soon thereafter as possible, for the purpose of organizing. A majority of said board shall constitute a quorum to do business; and they shall choose from their number a president; and they shall choose a secretary, a treasurer, assessor and collector of taxes, and

other necessary officers and committees.

Sec. 9. The trustees of the Lorenzo Independent School District shall have power to levy and collect an annual ad valorem tax not to exceed fifty cents on the one hundred dollars valuation of taxable property of the district, for the maintenance of schools therein, and a tax not to exceed twenty-five cents on the one hundred dollars valuation for the purchase of sites and purchasing, construction, repairing or equipping public free school buildings within the limits of such Lorenzo Independent School District; provided, that the amount of maintenance tax, together with the amount of bond tax of the district, shall never exceed fifty cents on the one hundred dollars valuation of taxable property. Said trustees shall have power to issue coupon bonds of the district for building purposes, to be made payable not exceeding forty years from date, in such sums as they shall deem expedient, to bear interest not to exceed five per cent per annum; provided, that when such buildings are to be wooden the bonds herein provided for shall not run for a longer period than twenty years; years; provided, that the aggregate amount of bonds issued for the above named purpose shall never reach such an amount that the tax of twenty-five cents on the one hundred dollars valuation of property in the district will not pay current interest and provide a sinking fund sufficient to pay the principal at maturity; and, provided, further, that no such tax shall be levied and no such bonds issued until after an election shall have been held, wherein a majority of the tax paying voters voting at said election shall have voted in favor of the levying of said tax for the issuance of said bonds, or both, as the case may be; provided, that the specific rate of tax need not be determined in the election.

Sec. 10. The election provided for in the preceding Section, Section 9 hereof, may be ordered by the trustees on the written petition of at least 10 taxpaying voters of said Lorenzo Independent School District, at any time not less than thirty days from the date of the order, or may be ordered by them upon their own initiative; which order shall state the date and place when said election shall be held, the amount of tax to be levied, or the

amount of bonds to be issued, as the case may be; and the trustees shall also name and appoint therein the manager or managers of said election, which shall be held as nearly as may be possible in conformity with the general election law of the State; provided that when a proposition to levy such a tax shall be defeated, no election for that purpose shall be ordered until after the expiration of one year. The trustees shall give public notice of such election herein provided for by placing notices of the same in three different portions of such incorporated district at least twenty days before said election; which notice shall state the time and place of the election and the amount of the tax to be levied, or the amount of bonds to be issued, or both, as the case may be.

Sec. 11. No person shall vote at said election unless he be a qualified voter under the Constitution and laws of this State, and a taxpayer in such Lorenzo Independent School District; and those in favor of the levying of such tax, or the issuance of such bonds, shall write or print upon their ballots, "For the Tax," and those against the levying of such tax, or the issuance of such bonds, shall write or print on their ballot, "Against the Tax," and due returns thereof shall be made to said trustees within ten days, and the result thereof shall be recorded by said trustees in a well bound book to be kept for that purpose.

Sec. 12. The assessor and collector of taxes of the district shall have the same power and shall perform the same duties with reference to the assessment and collection of taxes for free school purposes that are conferred by law upon the city marshal of an incorporated town or village, and he shall receive such compensation for his services as the board of trustees may allow, not to exceed four per cent of the whole amount of taxes received by him; and he shall give bond in double the estimated amount of taxes coming annually into his hands, payable to the president of the board or his successors in office, conditioned for the faithful discharge of his duties, and that he will pay over to the treasurer of such board all the funds coming into his hand by virtue of his office as such assessor and collector.

Sec. 13. When a majority of the board of trustees of this school district prefer to have the taxes of their district assessed and collected by the county assessor and collector, same shall be assessed and collected by said

county officers, and turned over to the treasurer of this district for which such taxes have been collected; provided, that the property of this district having its taxes assessed and collected by the county assessor and collector, shall not be assessed at a greater value than that assessed for county and State purposes; provided, further, that when the county assessor and county collector are required to assess and collect the taxes of this district, they shall, respectively, receive one per cent for assessing and collecting same.

Sec. 14. Property valuations in said Lorenzo Independent School District shall be the same as that fixed by the said board of trustees of said district; and the said board of school trustees in said Lorenzo Independent School District is hereby given all the power and authority now conferred by law upon commissioners courts when sitting as a board of equalization, in fixing property values in said Independent School District.

Sec. 15. In all other matters not provided for in this Act the said board of trustees shall be governed by the General Laws of the State of Texas, applicable to Independent School Districts.

Sec. 16. The deplorable condition of the public free schools within the territory comprising said Lorenzo Independent School District being now without adequate public school buildings and wholly insufficient equipment, and without funds to provide for the same, creates an emergency and an imperative public necessity exists that the constitutional rule requiring that bills be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, June 16, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills to whom was referred Senate Bill No. 43, copy hereto attached, have carefully compared same and find it correctly enrolled, and have this day, at 4:36 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. B. No. 43.

An Act creating and incorporating the Esticado Independent School

District, in Crosby County and Lubbock County, Texas, and defining the boundaries thereof, providing for a board of trustees thereof, and defining their powers and authority, authorizing said board of trustees to levy, assess, and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said school district, providing for an election of trustees thereof, and providing for an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the territory within the bounds of the town of Esticado, in the County of Crosby and State of Texas, and other lands and territory adjacent thereto in the County of Crosby and State of Texas, as hereinafter described, be and the same is hereby incorporated as an independent school district for public free school purposes only, under the name of the Esticado Independent School District.

Sec. 2. Beginning at the N. W. corner of Crosby County, the N. E. corner of Lubbock County;

Thence East about $2\frac{1}{4}$ miles along the Crosby-Floyd County line to the intersection of said line with the West base line survey No. 21, Block C;

Thence South about a mile and a quarter to the S. W. corner of Survey No. 26, Block C;

Thence East 1 mile to the S. E. corner of said survey 26;

Thence South 4 miles along and with the E. B. L. of surveys 25, 24, 23 and 22 all Block C, to the S. E. corner of survey 22;

Thence East about $2\frac{1}{2}$ miles along and with the North base line of survey 16 and Croon pre-emption to the N. E. corner of said Croon tract;

Thence South across the Croon tract to the N. E. corner of Survey No. 888;

Thence South 3 miles along and with survey lines to the S. E. corner of survey 894, same being the Southeast corner of this district;

Thence West 2 miles along and with survey lines to the S. W. corner of survey 893;

Thence North about one-third miles along and with the W. B. L. of said survey 893;

Thence West about $2\frac{1}{5}$ mile across

survey 18 to the S. E. corner of survey 19, Block C;

Thence West 6 miles along and with survey lines to the S. W. corner of survey 114, Block C, same being the S. W. corner of this District;

Thence North 4 miles along and with survey lines to the N. W. corner of survey 111, Block C;

Thence East 1 mile to the N. E. corner of said survey 111;

Thence North 1 mile to the N. W. corner of survey 99;

Thence East 1 mile to the N. E. corner of said survey 99;

Thence North about 2 and one-fourth miles to the intersection of the Hale-Lubbock County line with the East base line of survey 103, Block C;

Thence East about $\frac{3}{4}$ mile to the place of beginning.

Sec. 3. The management and control of the public free schools in the said Esticado Independent School District is hereby vested in a board of trustees, which board shall be composed of seven persons, resident citizens and qualified voters within said district, and each member of the said board of trustees, before entering upon the discharge of his duties, shall make and subscribe the usual oath for the faithful and impartial discharge of the duties of his office.

Sec. 4. The board of trustees of the Esticado Independent School District shall be a body politic and corporate in law, and as such may contract and be contracted with, sue and be sued, plead or be impleaded in any court of this State of proper jurisdiction, and may receive any gifts, grant, donation or devise made for the use of the public schools of the district.

Sec. 5. The board of trustees of said Esticado Independent School District shall manage and control the public free school within said district to the exclusion of every other authority excepting in so far as the State Superintendent of Education and the State Board of Education may be vested with the general supervisory authority to instruct said board.

Section 6. Immediately upon the taking effect of this Act the county judge of Esticado County, Texas, shall order an election for the election of seven trustees to serve as trustees of said Esticado Independent School District, whose terms of office shall be as follows: The terms

of office of the seven trustees chosen at the first election under this Act shall be divided into two classes, and the members shall draw for the different classes; the four members drawing the numbers one, two, three, and four shall serve for one year or part thereof, that is until the first Saturday in April, A. D. 1921, thereafter, and until their successors are elected and qualified; and the three members drawing the numbers five, six and seven shall serve two years, that is, until the first Saturday in April, A. D. 1922, thereafter, and until their successors are elected and qualified; and regularly thereafter on the first Saturday in April of each year, four trustees and three trustees, alternately shall be elected, for a term of two years to succeed the trustee whose term shall at that time expire.

Sec. 7. Before any trustee enters upon the discharge of the duties of his office, he shall swear that he will faithfully and impartially discharge the duties of such office; and his affidavit to that effect shall be filed after the first election with the county judge, and after all subsequent elections with the president or chairman of the school board.

Sec. 8. The trustees chosen under this Act shall meet within twenty days after the election, or as soon thereafter as possible, for the purpose of organizing. A majority of said board shall constitute a quorum to do business; and they shall choose from their number a president; and they shall choose a secretary, a treasurer, assessor and collector of taxes, and other necessary officers and committees.

Sec. 9. The trustees of the Esticado Independent School District shall have power to levy and collect an annual ad valorem tax not to exceed fifty cents on the one hundred dollars valuation of taxable property of the district, for the maintenance of schools therein, and a tax not to exceed twenty-five cents on the one hundred dollars valuation for the purchase of sites and purchasing, construction, repairing or equipping public free school buildings within the limits of such Esticado Independent School District; provided that the amount of maintenance tax, together with the amount of bond tax for the district, shall never exceed fifty cents on the one hundred dollars valuation of taxable property. Said trustees

shall have power to issue coupon bonds of the district for building purposes, to be made payable not exceeding forty years from date, in such sums as they shall deem expedient to bear interest not to exceed five per cent per annum; provided, that when such buildings are to be wooden the bonds herein provided, shall not be for a longer period than twenty years; provided, that the aggregate amount of bonds issued for the above named purpose shall never reach such an amount that the tax of twenty-five cents on the one hundred dollars valuation of property in the district will not pay current interest and provide a sinking fund sufficient to pay the principal at maturity; and provided, further, that no such tax shall be levied and no such bonds issued until after an election shall have been held, wherein a majority of the tax paying voters voting at said election shall have voted in favor of the levying of said tax, of the issuance of said bonds, or both, as the case may be; provided, that the specific rate of tax need not be determined in the election.

Sec. 10. The election provided for in the preceding Article Section 9 hereof, may be ordered by the trustees on the written petition of at least 10 tax paying voters of said Esticado Independent School District, at any time not less than thirty days from the date of the order, or may be ordered by them upon their own initiative; which order shall state the date and place when said election shall be held, the amount of tax to be levied, or the amount of bonds to be issued, as the case may be; and the trustees shall also name and appoint therein the manager of manager or managers of said election, which shall be held as nearly as may be possible in conformity with the general election law of the State; provided that when a proposition to levy such a tax shall be defeated, no election for that purpose shall be ordered until after the expiration of one year. The trustees shall give public notice of such election herein provided for by placing notices of the same in three different portions of such incorporated district at least twenty days before said election; which notice shall state the time and place of the election and the amount of the tax to be levied, or the amount of bonds to be issued, or both, as the case may be.

Sec. 11. No person shall vote at said election unless he be a qualified voter under the Constitutions and laws of this State, and a tax payer in such Esticado Independent School District; and those in favor of the levying of such tax or the issuance of such bonds, shall write or print upon their ballots "For the Tax" and those against the levying of such tax, or the issuance of such bonds shall write or print on their ballot, "Against the Tax," and due returns thereof shall be made to said trustees within ten days, and the result thereof shall be recorded by said trustees in a well bound book to be kept for that purpose.

Sec. 12. The assessor and collector of taxes of the district shall have the same power and shall perform the same duties with reference to the assessment and collection of taxes for free school purposes that are conferred by law upon the city marshal of an incorporated town or village, and he shall receive such compensation for his services as the board of trustees may allow, not to exceed four per cent of the whole amount of taxes received by him; and he shall give bond in double the estimated amount of taxes coming annually into his hands, payable to the president of the board or his successors in office, conditioned for the faithful discharge of his duties, and that he will pay over to the treasurer of such board all the funds coming into his hands by virtue of his office as such assessor and collector.

Sec. 13. When a majority of the board of trustees of this school district prefer to have the taxes or their district assessed and collected by the county assessor and collector, same shall be assessed and collected by said county officers, and turned over to the treasurer of this district for which such taxes have been collected; provided, that the property of this district having its taxes assessed and collected by the county assessor and collector, shall not be assessed at a greater value than that assessed for county and state purposes; provided, further, that when the county assessor and county collector are required to assess and collect taxes of this district they shall, respectively, receive one per cent for assessing and collecting same.

Sec. 14. Property valuations in said Esticado Independent School District shall be the same as that fixed

by the said board of trustees of said district; and the said board of school trustees in said Esticado Independent School District is hereby given all the power and authority now conferred by law upon commissioners courts when sitting as a board of equalization, in fixing property value in said Independent School District.

Sec. 15. In all other matters not provided for in this Act the said board of trustees shall be governed by the General Laws of the State of Texas, applicable to independent school districts.

Sec. 16. The deplorable condition of the public free school within the territory comprising said Esticado Independent School District being now without adequate public school buildings and wholly insufficient equipment, and without funds to provide for the same creates an emergency and an imperative public necessity exists that the constitutional rule requiring that bills be read on three several days be suspended, and that this Act take effect and be in force from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, June 16, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills to whom was referred Senate Bill No. 22, copy hereto attached, have carefully compared same and find it correctly enrolled, and have this day at 4:36 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. B. No. 22.

An Act creating Weatherly Common School District No. 19 in Hall County, Texas, providing for assuming proportion of part of indebtedness of District No. 8, providing a board of trustees therefor, providing that said Common School District and the Board of Trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the General Statutes upon common school districts in this State, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 7. That Weatherly Common School District No. 19, in Hall

County, Texas, shall be and the same is hereby created a common school district of said county within the following described territory:

Said district is from a part of school district No. 8, situated in Hall County, Texas, and is bounded as follows: Beginning at the N. E. corner of Section 14, G. W. Scott; Thence S. with the E. B. L. of Sec. 14 to the S. E. cor. of same; Thence E. to N. E. cor. of 16, S. B. Crump; Thence S. to S. E. cor. of Sec. 3, J. H. Stephens, sur.; Thence E. to N. E. cor. of Sec. 56; Thence S. to S. E. cor. of Sec. 54, J. W. Duncan; Thence West to E. B. L. to Sec. 75, D. & P.; Thence S. to S. E. cor. of Sec. 75; Thence W. to E. B. L. of Sec. 81; Thence N. to N. E. Cor. of Sec. 81; Thence W. to E. B. L. of Sec. 94, B. Dair; Thence S. to S. E. cor. of Sec. 94; Thence W. to S. W. cor. of said Sec. 94; Thence N. to the N. W. cor. of Sec. 9, M. & S.; Thence E. to S. W. cor. of Sec. 12, M. & M.; Thence N. to S. B. L. of Sec. 9, J. Poitevant; Thence W. to S. W. cor. of Sec. 9, J. Poitevant; Thence N. to N. W. cor. of Sec. 6, Robert Crabb; Thence East with meanderings of Red Rover to place of beginning.

Sec. 2. The Weatherly Common School No. 19, as created by this Act assumes the payment of its proportional part of the outstanding bonded indebtedness of the said Common School District No. 8.

Sec. 3. The said Weatherly School District No. 19, as created by this Act, is hereby vested with all the rights, powers, privileges and duties imposed and conferred upon school districts created under the general laws governing such districts.

Sec. 4. The school affairs of said Weatherly School District No. 19, as created by this Act, shall be vested in a board of school trustees composed of three members, who shall be elected and who shall qualify in accordance with the General Laws of the State.

Sec. 5. The fact that the people of the territory effected by this Act have no adequate school facilities created an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and this rule is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

TWENTY-THIRD DAY.

Senate Chamber,
Austin, Texas,

Thursday, June 17, 1920.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe.

Hall.

Prayer by the Chaplain, Rev. S. H. Morgan.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Smith.

Committee Reports.

See Appendix.

Message from the House.

A messenger from the House appeared at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, June 17, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 97, A bill to be entitled "An Act to amend Articles 3881, 3882, 3883, 3889, and 3903, of the Revised Civil Statutes of the State of Texas of 1911, as amended by the Thirty-third Legislature at its Regular Session Chapters 121 and 142, and as amended